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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF TENNESSEE.

BEGUN AND HELD AT KNOXVILLE, ON MONDAY,

THE TWENTY-EIGHTH OF MARCH, ONE THOU-

SAND SEVEN HUNDRED AND NINETY-SIX.

KNOXVILLE:

PRINTED BY GEORGE ROULSTONE,

PRINTER TO THE STATE.
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JOURNAL
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HOUSE OF REPRESENTATIVES
OF THE
STATE OF TENNESSEE.

AT a meeting of the general assembly of the state of Tennessee, began and held at Knoxville, on the 28th day of March, 1796, being the first session of said assembly, the following members appeared, produced their credentials and took their seats, viz. James Houston and Joseph Black, from the county of Blount.

Robert Weakley and Seth Lewis, from the county of Davidson.

Joseph Conway and John Galt, from the county of Greene.

John Cocke and Thomas Henderson, from the county of Hawkins.

Alexander Outlaw and Adam Peck, from the county of Jefferson.

John Menefee and John Crawford, from the county of Knox.

John Rhea and David Looney, from the county of Sullivan.

Spencer Clack and Samuel Newel, from the county of Sevier.

Stephen Cantrell and William Montgomery, from the county of Sumner.

[4]
Thomas Johnston and William Fort, from the county of Tennessee.

John Blair and James Stuart, from the county of Washington.

The house proceeded to the appointment of a speaker, when James Stuart was unanimously chosen and conducted to the chair.

It was moved by Mr. Rhea, and seconded by Mr. Fort, that the members of this house take the oath as prescribed by the constitution : and also the following oath, viz.

I A. B. do solemnly swear (or affirm, as the case may be) that I will support the constitution of the state of Tennessee.

It was then moved by Mr. Outlaw, seconded by Mr. Fort, that the house appoint a clerk, when Thomas H. Williams, was unanimously chosen, and qualified accordingly.

On motion of Mr. Fort, seconded by Mr. Cocke, John Sevier was appointed assistant clerk.

John Rhea was chosen door-keeper.

On motion of Mr. Outlaw, seconded by Mr. Fort, resolved, that a committee of five members be appointed to draught and report to this House, what rules are necessary to be observed by the members thereof, and that Messrs. Rhea, Outlaw, Fort, Weakley, and Newel compose said committee.

On motion of Mr. Fort, seconded by Mr. Blair, resolved, that a committee of privileges and election be appointed, and that Messrs. Johnston, Lewis Cantrell, Houston, and Gass, compose the same.

The house then adjourned till to-morrow 9 o'clock.

A. M.

TUESDAY, March 29, 1796.

THE house met according to adjournment.

It was moved by Mr. Fort, and seconded by Mr. Rhea, that David Looney, a member from Sullivan

county, take the oaths required to be taken by the members of this house.

The committee to whom it was referred to draught and report what rules are necessary to be observed, by the members of this house, made the following report, viz,

- 1st. When the speaker is in the chair every member may sit with his head covered.
2. Every member shall come into the house with his head uncovered, and shall continue so at all times but when he sits in his place.
3. The speaker having taken the chair, and a majority of the members being present, the clerk shall read the journal of the preceding day, in order that any mistake may be corrected that may have been made in the entries.
4. While the journal or public papers are reading, or when any member is speaking, there shall be no interruption, nor shall any member read any printed paper, but the attention of the members is expected.
5. Every member when he speaks, shall, standing in his place, address himself to the speaker (or chairman) as the case may be, who shall give his attention by naming the member.
6. If two or more members rise to speak, at the same time, the speaker shall determine who shall speak first.
7. When any motion shall be before the house, and not properly understood, the speaker may explain, but shall not attempt, in any such explanation, to sway the house by argument or debate.
8. The speaker, with leave of the house, shall have privilege to speak upon any subject proposed, agreeably to the rules established by the house; provided, he speak before the arguments are gone through.
9. A member digressing from the subject, or using personal observation or reflection, may be called to order by the speaker or chairman, or any member of the house.
10. All motions to be committed to writing and

seconded, and handed to the speaker, before the same can be considered in the possession of the house, except a motion of course.

11. No question to be put upon motion, unless seconded.

12. No member to speak more than twice, without leave of the house, to the same question, unless in a committee of the whole.

13. When a question is before the house, no motion shall be received, unless for amendment, for the previous question, or to commit, or to adjourn.

14. No member to depart the service of the house without leave.

15. It shall be the duty of the speaker (or chairman) to call gentlemen spectators, appearing among the members when in session, by name, to desire them to withdraw to the seats assigned them.

All which is submitted,

(Signed) Wm FORT, Chr.

It was moved by Mr. Rhea, seconded by Mr. Newell, that the members of this house take an oath to support the constitution of the United States, which was objected to; and after some debating thereon was carried in the affirmative, and the following oath prescribed, to wit:

I A. B. do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States.

On motion of Mr. Fort, seconded by Mr. Rhea, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives is now formed and ready to proceed to the dispatch of public business.

Mr. Lewis presented a report from Howell Tatom, esq. treasurer of Mero district, which being read, was, with sundry vouchers accompanying it, on motion of Mr. Rhea, ordered to lie on the table.

On motion of Mr. Fort, seconded by Mr. Rhea,

ordered, that the following message be sent to the senate:

Mr Speaker and Gentlemen of the Senate,
The House of Representatives have proceeded to appoint a committee of finance, on the part of this house, to act in conjunction with such of your body as you may think proper to appoint for that purpose, and have appointed Messrs. Roca, Weakley, Ontlaw, Johnston, and Houston.

Received the following message from the Senate:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate is also constituted and ready to proceed to the dispatch of public business, and propose to meet your house, at such time and place as you may appoint, in order to open and publish the returns of the elections, from the several counties for governor, agreeably to the constitution of this state.

Ordered, That the following message be sent to the senate:

Mr. Speaker and Gentlemen of the Senate,

This house agree with you in the meeting proposed for examining the returns of the elections for governor, and propose to convene in the House of Representatives at half past 12 o'clock.

Received from the Senate the following message:

Mr. Speaker and Gentlemen of the House of Representatives,

We propose Messrs. Doherty and Tipton, to act with such gentlemen of your house as you may appoint, as a committee of propositions and grievances.

On motion, ordered, that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in appointing a committee of propositions and grievances, and nominate on our part, Messrs. Lewis, Fort, Henderson, Newel, and Black, to act in conjunction with the gentlemen by you proposed.

Mr. Rhea presented a list of the taxable property of Sullivan county, for the year 1795, which was received, and on motion, ordered to lie on the table.

A return of the taxable property of the county of Davidson was presented by Mr. Lewis, read by the clerk, and ordered to lie on the table.

The returns of the elections for governor, in the several counties, were examined in presence of both houses, and a majority of votes appearing in favor of citizen John Sevier, he was accordingly declared to be legally and constitutionally elected as governor of the state Tennessee.

A message from the Senate:

Mr. Speaker and Gentlemen,

This house concur with you in appointing a committee of finance, and nominate on the part of this house, Messrs. Lewis and Rutledge, to act in conjunction with the gentlemen by you proposed.

On motion, ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen:

The House of Representatives have nominated six members, viz. Messrs. Outlaw, Blair, Cocke, Johnston, Newel, and Fort, to wait on his excellency John Sevier, and request his attendance in the House of Representatives, to-morrow at 12 o'clock, to be qualified agreeably to the constitution of the state of Tennessee.

A message from the Senate:

Mr. Speaker and Gentlemen,

We concur with your last message, and appoint on the part of this house, Messrs. Lewis, Ford, and Kelly, to wait upon his excellency John Sevier, in company with the gentlemen by you appointed, for the purposes by you mentioned. We also concur with you as to the time and place for the qualification of the governor.

Adjourned till to-morrow 9 o'clock, A. M.

WEDNESDAY, March 30, 1796.

MET according to adjournment.

On motion of Mr. Rhea, seconded by Mr. Fort, ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

The House of Representatives have appointed a committee to report what bills of a public nature may be necessary to be brought forward this session, to act in conjunction with such of your body as you may appoint for that purpose; and have named on their part, Messrs. Houston, Weakley, Lewis, Rhea, and Gals.

On motion of Mr. Outlaw, seconded by Mr. Fort, ordered, that the following message be sent to the Senate :

Mr. Speaker and Gentlemen,

We propose Messrs. Crawford, Looney, and Black, to act with such of your body as may be appointed, to wait on the judges, and request their attendance in the House of Representatives, at 12 o'clock, to qualify the governor.

On motion of Mr. Newel, seconded by Mr. Lewis, ordered, that the following message be sent to the Senate :

Mr Speaker and Gentlemen,

This house have appointed a committee to act in conjunction with such gentlemen as you may appoint, to prescribe an oath of office, to be administered to the governor of this state, and do appoint Mess. Lewis, Newel, and Rhea.

On motion of Mr. Rhea, seconded by Mr. Crawford, ordered, that the following message be sent to the Senate :

Mr. Speaker and Gentlemen,

This house propose to proceed to the election of the two senators, to represent this state in the congress of the United States; and also, a secretary for this state; and that the senate and house of repre-

representatives do convene in the house of representatives, for that purpose, to-morrow at ten o'clock; and do propose Mr. William Blount, Mr. William Cocke, and Mr. Joseph Anderson, as candidates for the senate, and Mr. William Maclin for secretary.

A message from the senate:

Mr. Speaker and Gentlemen,

We concur with you in appointing a committee to prescribe an oath of office to be administered to the governor; and on the part of this house appoint Messrs. White and Doherty to act in conjunction with the gentlemen by you named for that purpose.

A message from the Senate:

Mr. Speaker and Gentlemen,

We concur with your message respecting the appointing of a committee, "to report what bills of a public nature may be necessary to be brought forward this session," and appoint Messrs. Frazier and Tipton, on the part of this house, to act with the gentlemen by you named.

A message from the Senate:

Mr. Speaker and Gentlemen,

We propose that Messrs. White, Lewis, and Ford, on the part of this house, in company with such gentlemen of your house as you may appoint, wait upon his excellency governor Blount, to inform him of the time and place appointed for the qualification of his successor in office; and also to request his attendance there.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We concur with your message in appointing a committee to wait on his excellency William Blount, to inform him of the time and place appointed for the qualification of his successor, and name on our part, Messrs. Cantrell, Crawford, Weakley, and Gass.

A message from the Senate:

Mr. Speaker and Gentlemen,

We cannot concur with your message respecting the

qualification of the governor by the judges; but propose in lieu thereof, that the clerk of the senate administer the oaths to the governor, in presence of both houses of the general assembly, which being read, was rejected.

On motion of Mr. Rhea, seconded by Mr. Johnston, ordered, that the following message be sent to the Senate:

Mr. Speaker and Gentlemen,

The form of the oath prescribed for the qualification of the governor is subjoined, which has been agreed to by this house, and hereby forwarded for your concurrence.

The committee to whom was referred the prescribing an oath, for the qualification of the governor, made the following report:

Your committee appointed to prescribe an oath for the qualification of the governor, prescribe the following: All which is submitted.

JOHN RHEA, Chr.

I, A. B. do solemnly swear, that I will support the constitution of the United States.—So help me God.

I, A. B. do solemnly swear, that I will support the constitution of the state of Tennessee.—So help me God.

I, A. B. do solemnly swear, that I will faithfully execute the office of governor of the state of Tennessee, pursuant to the constitution and laws thereof, according to the best of my knowledge and ability.

So help me God.

A message from the Senate:

Mr. Speaker and Gentlemen,

We concur with your message, as to the time and place for the election by you proposed; and propose Doctor James White to be added to the nomination as candidates for the senate.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We cannot agree with your proposals respecting the qualifying the governor; we still adhere to our

former proposals, and request a reconsideration of your part.

A message from the Senate:

Mr. Speaker and Gentlemen;

Upon reconsideration we concur with your message relative to waiting upon the judges, to request their attendance to qualify the governor; and appoint, on behalf of this house, Messrs. Clack and Rutledge, to accompany the gentlemen by you named for that purpose.

Both houses having convened in the representatives chamber, the several oaths prescribed for the qualification of the governor, were duly administered by the honorable Joseph Anderson.

Adjourned till to-morrow 9 o'clock, A. M.

THURSDAY, March 3, 1796.

On motion of Mr. Cocke, seconded by Mr. Rhea, ordered, that the address delivered yesterday to, both houses of the general assembly by his excellency John Sevier, be entered on the journal of this house.

Gentlemen of the Senate and House of Representatives,

The high and honorable appointment conferred upon me by the free suffrage of my countrymen, fills my breast with gratitude, which, I trust, my future life will manifest. I take this early opportunity to express, through you, my thanks in the strongest terms of acknowledgments. I shall labour to discharge with fidelity the confidence reposed in me; and if such my exertions should prove satisfactory, the wish of my heart will be gratified.

Gentlemen, accept of my best wishes for your individual and public happiness. And, relying upon your wisdom and patriotism, I have no doubt but the result of your deliberations will give permanency and success to our new system of government, so wisely calculated to secure the liberty and advance the happiness and prosperity of our fellow-citizens.

JOHN SEVIER.

On motion of Mr. Fort, seconded by Mr. Crawford, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house propose to proceed to the election of senators for this State, agreeably to the order of the day; and have appointed on our part, Messrs. Newell and Fort, to superintend the balloting; and also propose, that the tickets be counted in presence of both houses; and that the speaker of the senate pronounce the persons duly elected.

Mr. Conway moved for leave to withdraw the name of Mr. Joseph Anderson from the nomination of senators, which was granted, and the following message sent to the senate:

Mr. Speaker and Gentlemen,

Mr. Conway has moved for leave to withdraw the name of Mr. Joseph Anderson, from the nomination of the senate, which motion this house have agreed to, the same is forwarded to you for your concurrence.

A message from the Senate:

Mr. Speaker and Gentlemen,

We concur with your message relative to the election, and appoint on the part of this house, Messrs. Lewis and Doherty, to superintend the balloting.— Mr. Tipton has moved, and has leave to withdraw the name of Doctor James White from the nomination of candidates for the senate, to which we request your concurrence.

The Senate and House of Representatives having convened in the representatives chamber, in pursuance of a resolution of both houses of yesterday, when William Blount and William Coker were duly and constitutionally elected, and so proclaimed by the speaker of the senate—and William Maclin was duly elected secretary of this State, and so announced.

On motion of Mr. Rhea, seconded by Mr. Coker, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house propose Messrs. Johnston, Houston,

Clack, Newel, and Rhea, a committee to act jointly with such of your body as you may appoint, to prepare an address, to present to Messrs. William Blount and William Cocke, informing them of their being elected to represent this state, in the Congress of the United States.

A message from the Senate :

Mr. Speaker and Gentlemen,

We concur with you in appointing a committee to prepare an address to present to the gentlemen who have been elected senators ; and appoint on the part of this house Messrs. Ford and White, to act with the gentlemen by you named for that purpose.

The house then adjourned till 4 o'clock, P.M.

Met according to adjournment.

A letter was read from the treasurer of the districts of Washington and Hamilton, which, with the papers accompanying it, together with sundry other papers relative to the treasury department, from the treasurer of Mero district, were on motion, referred to the committee of finance : Whereupon, ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen of the Senate,

We herewith send you a number of papers relative to the treasury department, which are referred on the part of this house to the committee of finance, with which your concurrence is requested.

A message from the Senate :

Mr. Speaker and Gentlemen,

We propose that an election by both houses of the general assembly, be held to-morrow morning at ten o'clock, in the representatives chamber, for three judges for the superior courts in this state ; also for an attorney general, and a treasurer for this state.

We put in nomination for judges, Mr. John M. Nairy, Mr. David Campbell, Mr. Joseph Anderson, and Mr. Archibald Roane ; for treasurer, Mr. Nicholas Tate Perkins and Mr. Landon Carter ; and for attorney general, Mr. Hopkins Lacy and Mr. William C. C. Claiborne, to which we beg your concurrence.

The foregoing message being read, was rejected ~~in~~ *to*: whereupon, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen:

This house cannot concur with your message concerning the election of judges and other officers tomorrow at ten o'clock. At so early a period this house not having as yet determined if any and what alterations shall be made in the court system, or how many judges, or whether one or more attorneys general, or one or more treasurers.

A message from the Senate:

Mr. Speaker and Gentlemen:

Mr. White, from the committee appointed to prepare an address to be presented to Citizens William Blount and William Cocke, who have been elected to represent this state in the senate of the United States, reported, that they have prepared the addresses which accompany this message, with which report this house have concurred; and should you concur with the report, we appoint on the part of this House Mr. Tip-ton and Mr. Lewis with such gentlemen as you may appoint to present the said addresses.

Mr. White from the committee appointed to draw an address, to be presented to William Blount and William Cocke, reported, that they have prepared the following:

Citizen WILLIAM BLOUNT, late governor of the Territory of the United States of America south of the river Ohio,

SIR,

Impressed with the grateful remembrance of your conduct during the time you was governor of the Territory of the United States of America, south of the river Ohio, now the state of Tennessee, the general assembly of the said state, in the name of the people thereof, over whom you formerly presided, embrace the earliest moment to testify to you, their entire approbation of your conduct and attention to promote their happiness, during your continuance.

in that office, the exercise of which was rendered more difficult and arduous, by the frequent inroads of the neighbouring nations of Indians. We recollect with pleasure, that under your administration, we, as a people have experienced growing energy and increasing power. That your exertions in subordination to the federal government, have been the cause of the present peace, which for some time past, has existed between us and the adjoining Indian tribes, and which, we hope, will long exist, on the principles you have established.

The territorial government now being ended, we will only say in respect thereof, that if the exercise alone of a government, constituted on the principles it was, could render a people happy under it, we should have been so. We rejoice, that while the territorial government has closed with honor to you, it has left us in a state of prosperity and peace.

You are now, sir, called by the unanimous voice of a free people, to represent them in the senate of the United States of America—the highest proof, in their power, to offer of their confidence in your integrity and ability to serve them.

JAMES WHITE, Ch.

Citizen WILLIAM COCKE,

Your fellow citizens have called you to represent them in the senate of the United States of America. Impressed with recollections of your past conduct, from an early period of the settlement of our common country, they have given you this testimony of the confidence they repose in your integrity and abilities to serve them.

JAMES WHITE, Ch.

The foregoing message, with the report accompanying it, being read, resolved, that this house do concur therewith, and that the following message be sent to the Senate:

Mr. Speaker and Gentlemen,

We concur with your message, and the report ac-

accompanying it, respecting the addresses to Citizens William Blount and William Coker, senators in the Congress of the United States; and appoint on our part, Mr. Outlaw, Mr. Crawford, Mr. Fort, and Mr. Conway, to act with the gentlemen by you proposed.

A message from the Senate:

Mr. Speaker and Gentlemen,

We propose that a transcript from the journals, relative to the election of senators, be signed by the speakers of both houses of the general assembly, and attested by their clerks, and thence be forwarded to the governor of this state, for his certificate and seal of office, which shall be considered as credentials to the gentlemen who are elected senators, in order to their obtaining seats in the senate of the United States.

A petition from sundry inhabitants of Washington county, praying a division thereof, was read and referred on the part of this house to the committee of propositions and grievances.

Adjourned till to-morrow 9 o'clock A. M.

FRIDAY, April 1, 1796.

MET according to adjournment.

Mr. Rhea moved for leave, and presented a bill ascertaining the number of the judges of the superior courts of law and equity, and for fixing their salaries; which was read the first time, passed and sent to the senate.

Mr. Johnston presented a petition from the inhabitants of Tennessee county, praying a division thereof, which was read; and on motion of Mr. Fort, referred to the committee of propositions and grievances.

On motion of Mr. Rhea, seconded by Mr Crawford, ordered, that the members of the committee of propositions and grievances compose a committee of

claims; and that the following message be sent to the senate, requesting their concurrence therewith:

Mr. Speaker and Gentlemen,

This house propose that the committee of propositions and grievances be also a committee of claims, which is sent to you for your concurrence.

We also send you sundry petitions respecting the division of counties, which have been read, and on the part of this house referred to the committee of propositions and grievances.

Received from his excellency the governor, sundry papers respecting the opening a waggon road through the mountains; which were read and referred to a special committee.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We herewith send you several papers, No. 1, 2, 3, 4, and 5, laid before this house by the governor, which we have referred to a special committee composed on our part of Messrs. Montgomery, Conway, and Blair, who will act jointly with such gentlemen as you may appoint to take into consideration the said papers.

Mr. Johnston moved for leave, and presented a bill establishing a treasury department, which was read the first time, passed, and sent to the senate.

A message from the senate:

Mr. Speaker and Gentlemen,

Mr. Tipton, from the committee appointed to report what bills of a public nature are necessary to be brought forward this session, has presented the report which accompanies this message, to which this house have concurred. The committee not having time to go through the business assigned them, beg leave to sit again; they accordingly have leave from this house.

Mr. Tipton, from the committee on public bills, reported as follows:

Your committee appointed to report what bills of a public nature are necessary to be brought forward

this session; say, that bills of the following import ought to be introduced; viz.

A bill providing for a public revenue.

A bill providing for the electing of representatives to the Congress of the United States.

A bill providing for the appointment of electors, to elect a President and Vice President of the United States.

A bill to prevent the wilful and malicious killing of slaves.

A bill providing for the relief of the poor.

A bill for the establishment and regulation of public roads and ferries.

A bill ascertaining the mode of collecting and accounting for public taxes.

A bill establishing a treasury department.

A bill establishing a secretary's department.

A bill ascertaining the mode of impeachment and trial of public officers.

A bill for altering the time of holding the several courts of law therein described.

A bill regulating the several officers fees therein mentioned.

A bill to prevent gaming.

JOHN TIPTON, Chr.

The foregoing report being read, the house concurred therewith.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house concurs with your message, as to that part in which you concur with the report of the committee you mention. We cannot concur with that part which gives leave to said committee to sit again; but propose that they may be considered a standing committee, to sit on their own adjournments, during the session, if they think proper.

Mr. Rhea exhibited four accounts of the sheriff and jailor of Washington county, which were read and referred to the committee of claims.

Mr. Black presented a petition from sundry citizens of a place called Tuckaleechee, on Little River, praying redress of certain grievances therein mentioned; which was read and referred to the committee of propositions and grievances.

A message from the senate: Mr. Speaker and Gentlemen,

We concur with you in referring the petitions from sundry citizens of Washington and Tennessee counties, to the committee of propositions and grievances; and also that the said committee be a committee of claims, and have added Mr. Ford to the said committee.

Mr. Rhea moved for leave, and presented a bill to prevent the wilful and malicious killing of any black person, or person of mixed blood, he or she being a slave, which was read the first time; passed, and sent to the senate.

A message from the senate: Mr. Speaker and Gentlemen,

We concur with you in referring the papers Nos. 2, 2032a, and 5, which accompany your last message, to a special committee, and appoint on the part of this house Mr. Lewis and Mr. White to act with the gentlemen by you named for that purpose.

On motion, ordered, that the doorkeeper be directed to furnish a writing table for this house.

Received by the way of the senate, the following address from Citizen Cocke:

Gentlemen, I accept of the appointment conferred upon me by the general assembly; it will be my first, my greatest, will to promote the interest of our common country.

The honor of serving a free and enlightened people is truly flattering, and my highest reward will consist in my conduct continuing to meet with their approbation.

Accept, gentlemen, my respects,
WILLIAM COCKE.

Adjourned until 3 o'clock, P. M.

A petition of Mrs. Joseph Morris was read and referred to the committee of propositions and grievances.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen, This house propose Messrs. Beck, Looney, and Clark a committee to act jointly with such gentlemen as you may appoint, to contract with the printer for public printing.

Mr. Outlaw moved for leave, and presented a bill to amend an act, entitled, "An act laying a tax for the year 1795," which was read the first time, passed and sent to the senate.

Mr. Lewis moved for leave and presented a bill providing for the election of representatives, to represent this state in the Congress of the United States, which was read the first time, passed, and sent to the senate.

A message from the senate:

Mr. Speaker and Gentlemen,

Herewith we send you the report of the committee of propositions and grievances, with which report this house have concurred.

Mr. Tipton from the committee, reported, as follows:

Your committee of propositions and grievances, to whom were referred several petitions, do report, that the petition from the county of Tennessee, is reasonable, and ought to be granted. That the petition from the upper end of the county of Washington is reasonable, and ought to be granted.

JOHN TIPTON, CH.

The foregoing message, and report accompanying it, were read and concurred with.

Mr. Johnston moved for leave, and presented a bill to divide the county of Tennessee into two distinct counties, which was read the first time, passed, and sent to the senate.

Mr. Blair moved for leave, and presented a bill to divide the county of Washington into two distinct

counties, which was read the first time, passed, and sent to the senate.

A message from the senate:

Mr. Speaker and Gentlemen;

We concur with your message, in appointing a committee to contract with the printer for public printing; and appoint on the part of this house Messrs. White and Rutledge, to act with the gentlemen by you named for that purpose.

Mr. Rhea moved for leave and presented a bill establishing the times of holding the superior courts of law and equity, and inferior courts of pleas and quarter sessions, which was read the first time, passed, and sent to the senate.

Mr. Menefee moved for leave of absence until Monday 10 o'clock, which was granted.

Adjourned till to-morrow 10 o'clock; A. M.

SATURDAY, April 2, 1796.

Met according to adjournment.

Mr. Rhea moved for leave, to withdraw a bill establishing the times of holding the superior courts of law and equity, and inferior courts of pleas and sessions.

Received the following message from the senate:

Mr. Speaker and Gentlemen,

We propose that a transcript from the journals relative to the election of a secretary for this state, be signed by the speakers of both houses of the general assembly, and attested by their clerks, and be presented to his excellency the governor, that he may commission the secretary who has been elected.

The foregoing message being read, was rejected.

Mr. Outlaw moved for leave and presented a bill to ascertain what property in this state shall be taxed for the year 1797, which was read the first time, passed, and sent to the senate.

Received from the senate the following bills,

A bill to divide the county of Tennessee into two distinct counties.

A bill to divide the county of Washington into two distinct counties.

A bill providing for the election of representatives to represent this state in the Congress of the United States.

A bill to prevent the malicious killing of any black person, or person of mixed blood, he or she being a slave.

A bill to ascertain the number of judges of the superior courts of law and equity, and for fixing their salaries.

An act establishing a treasury department, and

An act to amend an act, entitled, "an act laying a tax for the year 1795," severally endorsed, "Read the first time and passed.

Mr. Blair from the special committee delivered a report, which was read and ordered to lie on the table.

Received from the senate a claim of James White, endorsed, "Read and referred to the committee of claims," which being read was referred as above.

Mr. Rhea moved for leave and presented a bill directing the mode of the qualification of the secretary of state into office, which was read the first time, passed, and sent to the senate.

Ordered, that the following message be sent to the senate:

... Mr. Speaker and Gentlemen;

We cannot concur with your message relative to the governor being authorized to commission the secretary, previous to a law being passed, directing the mode of his qualification into office.

Mr. Johnston moved for leave to withdraw for amendment, the bill to divide the county of Tennessee into two distinct counties, which was granted.

Mr. Blair moved for leave to withdraw for amendment, the bill to divide the county of Washington into two distinct counties, which was accordingly granted.

Adjourned till Monday morning 12 o'clock, A. M.

MONDAY, April 4, 1796.

THE house met according to adjournment.

The bill to prevent the wilful and malicious killing any black person, or person of mixed blood, he or she being a slave, was read the second time, amended, passed, and sent to the senate.

Mr. Blain, who had leave to withdraw for amendment, the bill to divide the county of Washington into two distinct counties, delivered the same at the clerk's table with the amendments; whereupon this bill was read the second time, amended, passed, and sent to the senate.

Mr. Johnston, who had leave to withdraw for amendment, the bill to divide the county of Tennessee into two distinct counties, presented the same with its amendments to the house, which was read the second time, amended, passed and sent to the senate.

Received from the senate the two following bills:

A bill to ascertain what property within the state shall be taxed for the year 1797, and

A bill directing the mode of the qualification of the secretary of state into office, each endorsed, "Read the first time and passed."

Mr. Rhea exhibited sundry accounts of the sheriff of Knox county against the state, which were read and referred to the committee of claims.

The bill to ascertain what property in this state shall be taxed for the year 1797, was, on motion of Mr. Outlaw, withdrawn for amendment.

Mr. Rhea moved for leave, and presented a bill to repeal an act, entitled, "An act for the relief of such persons as have been disabled by wounds, or rendered incapable of procuring for themselves, and families subsistence in the militia service of this Territory, and providing for the widows and orphans of such as have died;" which was read the first time, passed, and sent to the senate.

Mr. Tipton from the committee of claims, reported as follows:

Your committee taking under their consideration the claim of George Gillespie, sheriff of Washington county, are of opinion, that the same ought not to be granted.

JOHN TIPTON, Ch.

Endorsed, concurred with, which was ordered to lie on the table.

Received from the senate the bill to ascertain the number of judges, &c. endorsed, "Read the first time and passed;" which was, on motion, withdrawn for amendment.

Mr. Johnston moved for leave to withdraw for amendment, the bill establishing a treasury department.

Adjourned until 4 o'clock, P. M.

Met according to adjournment.

Mr. Clack moved for leave and presented, a bill to prevent excessive gaming, which was read the first time, passed, and sent to the senate.

Mr. Rhea moved for leave to withdraw for amendment, a bill providing for the election of representatives, to represent this state in the Congress of the United States.

Mr. Outlaw moved for leave to withdraw the bill to amend the tax-law, passed in the year 1795.

Ordered, that he have leave accordingly.

A bill directing the mode of the qualification of the secretary of state into office, was read the second time, amended, passed, and sent to the senate.

Adjourned till to-morrow 9 o'clock, A. M.

TUESDAY, April 5, 1796.

MET according to adjournment.

Mr. Rhea moved for leave and presented a bill directing the mode of electing members of the general assembly; which was read the first time, passed, and sent to the senate.

Received from the senate the following bills :

A bill to divide the county of Tennessee into two distinct counties, and

A bill to divide the county of Washington into two distinct counties; each endorsed, read the second time and passed.

Ordered, that these bills be read the third and last time; which being read, were amended, passed, and returned.

Mr. Rhea, who had leave to withdraw for amendment, the bill directing the mode of electing representatives to represent this state in the congress of the United States, presented the same with the amendments, which was read the second time, passed, and sent to the senate.

Received from the senate the following bills :

A bill directing the mode of the qualification of the secretary of state into office, and

A bill to prevent the wilful and malicious killing any black person, or person of mixed blood, he or she being a slave," each endorsed, " Read the second time, and passed." The former of which was ordered to lie on the table, and the latter was on motion of Mr. Fort, withdrawn for amendment.

Mr. Tipton reported as follows :

The committee of claims to whom the claim of James White was referred, against the state, for twenty two dollars and one third, for apprehending and bringing to Knoxville Love Snowden, report, that the same is reasonable and ought to be allowed.

JOHN TIPTON, Chr.

Endorsed, " concurred with."

Received from the senate the following bills :

A bill to suppress excessive gaming,

A bill to repeal an act, entitled, " An act for the relief of such persons as have been disabled by wounds, or rendered incapable of procuring for themselves and families subsistence in the militia service of this Territory, and providing for the widows and orphans of such as have died,"

A bill to amend an act for the promotion of learning in the county of Davidson, and

A bill concerning oaths, &c severally endorsed, "Read the first time and passed."

Mr. Tipton, from the committee of propositions and grievances, reported as follows:

The committee of propositions and grievances having taken under their consideration, the petition of the inhabitants of that part of Little River, known by the name of Tuckaleechee, report, that the same is reasonable and ought to be granted.

JOHN TIPTON, Chr.

Endorsed, "concurred with."

The foregoing report being read and concurred with, Mr. Black then moved for leave and presented a bill to ascertain the lines between Blount and Sevier counties, which was read the first time, passed, and sent to the senate.

Mr. Weakley presented a petition from sundry inhabitants of Davidson county, praying a division thereof, which was read and referred on the part of this house to the committee of propositions and grievances.

Mr. Gass moved for leave, and presented a bill to preclude persons of a certain description from being admitted as witnesses in any civil or criminal case in any court within this state, which was read the first time, passed and sent to the senate.

Mr. Henderson presented a petition from sundry citizens of Hawkins, Knox, and Jefferson counties, which was read and referred to the committee of propositions and grievances.

Adjourned till 3 o'clock, P. M.

Met according to adjournment.

Mr. Johnston, who had leave to withdraw for amendment, the bill establishing a treasury department, returned the same with its amendments, which was read the second time, passed and sent to the senate.

Received from the senate the following bills:

A bill directing the mode of electing members of the general assembly.

A bill to ascertain the lines between Blount and Sevier counties, and

A bill to preclude persons of a certain description from being admitted as witnesses, &c.

Each endorsed, "Read the first time and passed."

Also, a bill providing for the election of representatives, to represent this state in the congress of the United States.

Endorsed, "Read the second time and passed."

Adjourned until to-morrow 9 o'clock, A. M.

WEDNESDAY, April 6, 1796.

MET according to adjournment.

Mr. Houston presented a petition from sundry citizens south of French Broad; which was read and referred to the committee of propositions and grievances.

A bill directing the mode of the qualification of the secretary of state into office, was read the third time, passed and sent to the senate.

Mr. Fort who had leave to withdraw for amendment, "A bill to ascertain the number of judges," &c, delivered it in at the clerk's table, with the amendments; whereupon this bill was read the second time, amended, passed, and sent to the senate.

Received from the senate, a bill establishing a treasury department; endorsed, "Read the second time and passed;" which was ordered to lie on the table until to-morrow.

A message from the Senate :

Mr. Speaker and Gentlemen of the House of Representatives,

We propose that a committee be appointed to examine engrossed bills, and have, for that purpose, named Mr. McMin, to act with such gentlemen as you may appoint on your part.

The foregoing message being read, was concurred with.

Mr. Fort who had leave to withdraw for amendment, " A bill to prevent the wilful and malicious killing of any black person, or person of mixed blood, he or she being a slave," returned the bill, and proposed the following amendment, to follow immediately after the last section: " And be it enacted, that an indictment or indictments, brought against any person or persons, for killing a slave as aforesaid, appearing to be frivolous or malicious, the prosecutor shall pay all costs accruing on such indictment, and a fine not exceeding fifty dollars, which shall be disposed of as other fines in this state," which was received.

Mr. Lewis then offered the following in lieu thereof:

And be it enacted, " That if on the trial of any indictment brought on this act, the same shall appear to be frivolous or malicious, the prosecutor, in that case, shall pay all costs thereof; and shall, moreover, be liable to an action on the case, at the suit of the party aggrieved, who shall recover damages, to be assessed by the verdict of a jury;" which was carried in the negative: Whereupon Mr. Lewis called for the yeas and nays, and was seconded by Mr. Cocke, which stood as follows:

Against the amendment,			
Messrs.	Black,	Messrs.	Houston,
	Blair,		Johnston,
	Cantrell,		Newel.
	Conway,		Outlaw,
	Crawford,		Peck,
	Gass,		Weakley.
	Fort,		
In favour of the amendment.			
Messrs.	Clack,	Messrs.	Loopey,
	Cocke,		Menefee,
	Henderson,		Montgomery,
	Lewis,		Rhea.

The bill was then ordered to lie on the table till tomorrow for further consideration.

Mr. Weakley moved for leave, and introduced a bill to appropriate certain monies, &c. which was read the first time, passed, and sent to the senate.

Mr. Outlaw presented a petition from sundry citizens of Jefferson county, praying a division thereof, which was read and referred to the committee of propositions and grievances.

Adjourned till 3 o'clock, P. M.

Met according to adjournment.

Ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

We concur with you in appointing a committee to examine engrossed bills, and name on our part Mr. Cocke and Mr. Conway.

The bill to amend an act, entitled, "An act for the promotion of learning in the county of Davidson"—also, the bill concerning oaths, &c. were each read the first time, passed, and sent to the senate.

Mr. Cocke moved for leave to withdraw for amendment, a bill to suppress excessive gaming.

A bill to repeal an act, entitled, "An act for the relief of such persons as have been disabled by wounds," &c. was read the second time, passed, and sent to the senate.

Received from the senate, a bill to amend an act, entitled, "An act for establishing a militia in the state of North Carolina," which said act is now in force in this state.

Ordered, that this bill be read, which being read, was passed the first time and returned.

The bill to ascertain the lines between Blount and Sevier counties, was, on motion of Mr. Newel, ordered to lie on the table until Saturday.

A bill providing for the election of representatives to represent this state in the congress of the United States, was read the third time, amended, passed, and sent to the senate.

Received from the senate the following bills:

" A bill concerning oaths, &c. endorsed " read the second time, amended and passed,"

A bill to repeal an act, entitled, " an act for the relief of such persons as have been disabled by wounds, or rendered incapable of procuring for themselves and families subsistence, in the militia service of this Territory, and providing for the widows and orphans of such as have died," endorsed, " Read the second time and passed,"

A bill for the appropriation of certain monies therein mentioned, and for other purposes:

And a bill to appropriate certain monies, each endorsed " read the first time and passed.

Mr. Fort moved for leave to withdraw for amendment, the bill directing the mode of electing members of the general assembly.

The bill to preclude persons of a certain description from being admitted as witnesses, in any civil or criminal case in any court within this state, was ordered to lie on the table till to-morrow.

A message from the senate:

Mr. Speaker and Gentlemen,

The senate have had before them, the bill declaring the mode of electing representatives to represent this state in congress, and cannot agree to the amendment by you made in the second section of said bill; but adhere to their amendment, to wit; " The first Thursday of August and the succeeding day," they are willing to add. If you agree to this amendment, you will please send two of your members to see the alterations made.

Further, as it respects the second election, the senate propose that said clause be amended, by adding, after the word, " August" the words, " and the succeeding day."

Ordered, that the foregoing message lie on the table until to morrow.

Adjourned till to-morrow 9 o'clock, A. M.

THURSDAY, April 7, 1796.

Met according to adjournment.

On motion, ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

We agree to the amendments by you proposed, to the bill directing the mode of electing representatives to represent this state in congress, and Mess. Cocke and Looney will attend and see the alterations made.

A bill to appropriate certain monies, was read the second time, passed, and sent to the senate.

Mr. Rhea moved for leave, and presented a bill for the amendment of the law, which was read the first time, passed, and sent to the senate.

Mr. Gals moved for leave to withdraw for amendment; the bill to preclude persons of a certain description from being admitted as witnesses in any civil or criminal case, in any court in this state.

A bill for the appropriation of certain monies therein mentioned; and for other purposes, was read the first time, passed, and sent to the senate.

A bill to repeal an act, entitled, "An act for the relief of such persons as have been disabled by wounds, &c. was read the third time, passed, and sent to the senate.

A bill concerning oaths, &c. was ordered to lie on the table until to morrow.

Mr. Cocke moved, and was seconded by Mr. Lewis, that the following words, "And a fine of not exceeding fifty dollars, which shall be disposed of as other fines in this state," be struck out of Mr. Fort's amendment to the "bill to prevent the wilful and malicious killing of any black person, or person of mixed blood, he or she being a slave, which was objected to; and the question being put thereon, was carried in the affirmative.

Mr. Fort then moved for the whole amendment to be struck out, which was agreed to.

Mr. Fort moved for leave to withdraw the afore-
said bill for amendment.

Received from the senate the following report:

Mr. Tipton reported as follows;

Your committee of propositions and grievances, to
whom was referred the petition of sundry inhabi-
tants south of French Broad, who live over the line
of experiment, are of opinion that the state cannot
grant them any relief.

JOHN TIPTON, Ch.

Endorsed," concurred with.

This house taking the foregoing report into consi-
deration concurred therewith.

The bill establishing a treasury department, was
read the third time, amended, passed, and sent to
the senate.

Mr. Lewis prayed to be withdrawn from the com-
mittee of propositions and grievances, which was
granted; whereupon, on motion, ordered, that Mr.
Cantrell be added thereto.

Received from the senate the following bills:

A bill for amendment of the law.

Endorsed, "Read the first time and passed."

A bill for the appropriation of certain monies
therein mentioned, and for other purposes.

Endorsed, "Read the second time amended and
passed."

Mr. Outlaw, who had leave to withdraw for amend-
ment, "a bill to ascertain what property in this state
shall be taxed for the year 1797, and for collecting the
same," presented the bill with its amendments, which
was received and ordered to lie on the table until to-
morrow.

Received from the senate, the bill ascertaining the
number of judges, &c. which was ordered to lie on
the table for the third reading to-morrow.

Adjourned until 4 o'clock, P. M.

Met according to adjournment.

Adjourned till to-morrow 9 o'clock A. M.

FRIDAY, April 8, 1796.

Met according to adjournment.

Agreeably to the order of the day, the bill to ascertain the number of judges of the superior courts, &c. was read the third time, amended, passed and sent to the senate.

Mr. Fort moved for leave to withdraw for amendment, until Monday next, the bill to ascertain what property in this state shall be taxed for the year 1797.

The bill concerning oaths, &c. was read the second time, amended, passed and sent to the senate.

A bill for the appropriation of certain monies therein mentioned, and for other purposes, was on motion withdrawn for amendment.

Ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

This house propose to proceed to the appointment of three judges of the superior courts of law and equity ; and also two treasurers, one for the districts of Washington and Hamilton, and one for the district of Mero ; and that both houses convene in the representatives' chamber to-morrow at 11 o'clock, for that purpose. We nominate as candidates for judges, Mess. John M'Nairy, Joseph Anderson, David Campbell, Wille Blonnt, Archibald Roan, Howell Tatom, and Ephraim Dunlap ; and for treasurers, Landon Carter and Nicholas Tate Perkins, for the districts of Washington and Hamilton ; and Edmund Gamble, William Black, Robert Searcy, and William Cage, senior, for the district of Mero, and have appointed Messrs. Fort and Lewis to superintend the balloting.

Adjourned until 3 o'clock, P. M.

Met according to adjournment.

Mr. Rhea moved for leave and presented, " A bill to provide for the safe keeping of the acts, records and papers of the State of Tennessee, and for other

purposes," which was read the first time, passed and sent to the senate.

Received from the senate, the report of the committee of propositions and grievances, upon the petition of the inhabitants of Hawkins, Knox, and Jefferson counties.

Endorsed, "concurred with."

Which was read and concurred with by this house and returned.

Mr. Lewis moved for leave to withdraw for amendment, "A bill for the amendment of the law."

Mr. Clark who had leave to withdraw for amendment, the bill to suppress excessive gaming, returned the bill with its amendments.

Which was read the second time, amended, passed and sent to the senate.

Received from the senate, a bill ascertaining a line between Knox, Jefferson, and Sevier.

Endorsed, "Read the first time and passed."

Ordered, that this bill be read, which being read, was passed the first time, and returned.

Received from the senate the following address from William Blount, esquire.

Mr. Speaker and Gentlemen of the Senate, and
Mr. Speaker and Gentlemen of the House of
Representatives,

The entire approbation of the people of my conduct in office by you testified, is the highest reward I could receive.

Accept, gentlemen, my thanks for the prompt and warm manner in which you have been pleased to convey it to me.

With you, I hope, that the peace which exists between the citizens of the United States and the Indian tribes will long continue, as in peace consists the happiness and prosperity of both parties; and thus impressed, it shall be my duty, in whatever situation I may be placed, to use my efforts to its preservation.

I feel as I ought, the unanimous call of my fellow-citizens, to represent them in the senate of the

United States, and shall devote myself to the promotion of their interests, as far as is consistent with that of the whole body politic, of which they are a part.

Accept, gentlemen, my best wishes for your individual happiness.

(Signed)

WM. BLOUNT.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate upon reading for the third and last time, the bill to ascertain the number of judges of the superior courts of law and equity, and the fixing their salaries, have amended it in the following manner: After the words, *in this State*, in the first section of said bill, they have added, "Any one or more of whom, are hereby authorized and empowered to hold any of the said courts—And it shall be the duty of each and every of the said judges to attend each and every term: And in case of failure, so to attend without sufficient cause for such failure be shown, it shall be deemed a misdemeanor in office, for which he or they shall be liable to presentment, indictment, or impeachment; but judgment, in such cases shall not extend further, than to removal from office." If you agree to this alteration, you will please send two of your members to see it made.

Ordered, That the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We cannot concur with the amendment by you proposed to the bill ascertaining the number of judges, &c.

Received from the senate, a file of papers respecting the claim of Joseph M. Min against the state.

Endorsed, "Read and referred, to the committee of claims, which were read, referred in like manner and returned.

Mr. Henderson moved for leave and introduced,

A bill to divide Hawkins and Knox counties, and

form a distinct county; which was read the first time, passed and sent to the senate.

Mr. Menefee moved for leave, and introduced, "A bill prescribing the mode of electing the military officers of this state;" which was read the first time, passed and sent to the senate.

Mr. Montgomery was, on motion, added to the committee of propositions and grievances.

A message from the senate;

Mr. Speaker and Gentlemen;

The senate propose to meet your house in conference, to morrow morning at 9 o'clock, in the representatives' chamber, to take into consideration, the bill to ascertain the number of judges, &c. and if possible to adjust the difference.

Ordered, that the following messages be sent to the senate:

Mr. Speaker and Gentlemen;

We concur with you in the conference by you proposed, to morrow at 9 o'clock.

Mr. Speaker and Gentlemen of the Senate,

We have added Mr. Montgomery to the committee of propositions and grievances.

Adjourned till to-morrow 9 o'clock, A. M.

SATURDAY, April 9, 1796.

Met according to adjournment.

A bill to ascertain the lines between Blount and Sevier counties, was passed the second time and sent to the senate.

Adjourned till 11 o'clock, A. M.

Met according to adjournment.

Mr. Blair presented a petition from sundry citizens of Jonesborough; which was read and referred to the committee of propositions and grievances.

Received from the Senate the following bills:

A bill prescribing the mode of electing the military

officers of this state,

A bill to divide Hawkins and Knox counties, and form a district county, and

A bill to provide for the safe keeping of the acts, records, and papers of the State of Tennessee, and for other purposes,

Each endorsed, "read the first time and passed."

Which were severally withdrawn for amendment.

Received from the senate the following report of the committee of claims,

Endorsed, "concurred with."

Your committee to whom was referred the claim of Joseph M'Min, are of opinion, he ought to be allowed two hundred dollars, for his services as an express to Philadelphia and back to this place, and no more.

JOHN TIPTON, Ch.

The foregoing report being read was concurred with.

Received from the senate, a petition from sundry citizens of Jefferson county; endorsed, "referred to the committee of propositions and grievances; which was read, referred in like manner and returned.

Messsages from the Senate :

Mr. Speaker and Gentlemen,

The senate have agreed to amend the bill, "ascertaining the number of judges of the superior courts," &c. by striking out from the first section of said bill, all the words after the word *shewn*, which are, "For which he or they shall be liable to presentment, indictment, or impeachment; but judgment, in such case, shall not extend farther than to removal from office."

The senate have amended said bill, by inserting the following section : And be it enacted, "That the clerk of each of the said courts shall, each day of any term of any of the said courts, enter on the minutes of said courts, respectively, the name or names of the judge or judges, who shall be present at the meeting thereof: And on failure, it shall be deemed

a misdemeanor in office, and." The above amendment is intended to be the first part of the section, pointing out the duty of the clerks, of the superior courts, in granting certificates of attendance to the judges. If you agree to the amendments, as now proposed you will please send two of your members to see them made.

Mr. Speaker and Gentlemen,

The senate have added Messrs. Clark and White, to the committee of propositions and grievances.

Ordered, that the following message be sent to the senate.

Mr. Speaker and Gentlemen,

We concur with your last amendments to the bill, ascertaining the number of judges. &c. and name Messrs. Cantrell and Rhea, to see the alterations made.

Received from the senate, a petition of sundry inhabitants of Knox county; endorsed "read and referred to the committee of propositions and grievances;" which was read and referred in like manner, and returned.

Mr. Houston moved to be withdrawn from the committee of finance, which was granted; and on motion, Mr. Cocke was added thereunto.

A message from the senate:

Mr. Speaker and Gentlemen,

The senate agree to your message of yesterday, for appointing three judges of the superior courts of law and equity, and for two treasurers; except as to the time of meeting, which we propose to be at 3 o'clock this afternoon, and have appointed Messrs. Lewis and Frazier to superintend the balloting.

Mr. Fort who had leave to withdraw for amendment, the bill to prevent the wilful and malicious killing of any black person &c. returned the bill, to which he proposed the following amendatory section.

And be it enacted, "That if any persons, shall frivoulously or maliciously prosecute persons, who shall, upon trial, be acquitted of the crime alledged, the prosecutor, in that case, shall pay all costs, and shall

be liable to an action on the case for damages; and if such prosecutor shall not have property sufficient to discharge all costs, he shall be imprisoned twenty days, and then sold out by the sheriff, to the highest bidder, to discharge the same."

Mr. Rhea then moved for all the subsequent part of the clause, from the word "damages" to be struck out, which carried.

The house adjourned till 3 o'clock, P. M.

MET according to adjournment.

Both houses having convened in the representatives' chamber, John M'Nairy, Willie Blount, and Archibald Roane, esquires, were duly and constitutionally elected judges of the superior courts of law and equity. And in like manner Landon Carter was elected treasurer for the districts of Washington and Hamilton, and William Black for the district of Mero.

Ordered, that Mr. Houston have leave to absent himself from the service of this house until Wednesday next.

Adjourned till Monday 12 o'clock, A. M.

MONDAY, April 11, 1796.

THE house met according to adjournment.

A message from the governor :

Mr. speaker and gentlemen of the general assembly, Permit me to remark to your honourable body, that our senators are about to proceed at the federal legislature, it may not be inexpedient to remind them of the necessity of taking under consideration the embarrassed situation claimants of land are under, to those lying south of the line concluded on in the treaty of Holston, and now within the Indian boundary.

In my humble opinion, it is a matter of great public importance, and particularly interesting to the state and to individuals, to either have the Indian claims extinguished, or the adventurers compensated for those lands,

I have no doubt but you will take the premises under due deliberation, and give your senators such instructions as you, in your wisdom, may deem necessary and advisable.

(Signed,)

JOHN SEVIER.

Ordered, that the following message be sent to the senate :

Mr. Speaker and gentlemen,

We herewith send you a communication we received this day from the governor, which we have referred to a select committee, and have named for that purpose, Messrs. Rhea, Outlaw, Johnston, and Lewis.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate propose that a transcript from the journals of the general assembly respecting the election of the judges of the superior courts of law and equity, be presented to the governor for his information, in order, that he may proceed to commission the gentlemen elected, and name Mr. Rutledge on the part of this house, to wait on the governor with the same.

The senate also, propose, that a joint committee wait on the gentlemen elected judges, and present them with a transcript from the journals, signed by the speakers, respecting their election; and name on our part Mr. Tipton.

Ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

We concur with your message, proposing that a transcript from the journals respecting the election of the judges should be presented to the governor, and name on the part of this house, Messrs. Lewis and Cocke, for that purpose.——We also name Messrs. Johnston, and Fort, to act with the gentlemen by you proposed to wait on the gentlemen elected judges.

A message from the Senate:

Mr. Speaker and Gentlemen,

We herewith send you a resolution in favor of Jo-

Joseph M. Minn and James White, with which we request your concurrence.

Ordered, that the following message be sent to the senate :

Mr. Speaker and Gentlemen;

This house cannot concur with your message respecting the mode of allowing payment to Joseph M. Minn and James White.

Received from the senate, a bill to appropriate certain monies, endorsed, " read the second time and passed," which was read the third time, amended, passed and returned.

Mr. Rhea, who had leave to withdraw for amendment " A bill for the safe keeping of the acts, records and papers of the state of Tennessee," returned the bill which was read the second time, amended, passed, and sent to the senate.

Received from the senate sundry petitions from Jefferson county, endorsed " read and referred to the committee of propositions and grievances," which were read referred in like manner and returned.

A message from the Senate :

Mr. Speaker and Gentlemen;

The senate concur with you in referring the communication of his excellency the governor, of this day to a select committee, and name, Messrs. M. Minn, Lewis, Tipton, and Rutledge, on our part.

Adjourned till 4 o'clock, P. M.

MET according to adjournment.

Received from the senate, a bill to amend an act for the promotion of learning in the county of Davidson, endorsed " read the second time, amended and passed."

Ordered, that Mr. Crawford have leave of absence until Thursday next.

Received from the senate, a bill directing the mode of qualifying petit jurors and constables endorsed, " Read the third time, amended and passed," A bill to ascertain the lines between Blount and Sevier counties, endorsed, " read the second time and passed."

Ordered that this bill be read, which being read, was passed the third time and returned.

Mr. Johnston moved for leave and presented a bill for establishing a town in Robertson county, which was read the first time, passed, and sent to the senate.

Mr. Lewis presented a remonstrance from Andrew Jackson, which was read and referred to the committee of claims.

Also a petition from sundry citizens of Nashville, which was read and referred to the committee of propositions and grievances.

On motion of Mr. Weakley, seconded by Mr. Newell.

Resolved, that no bills either of a public or private nature be received after Saturday next.

Ordered that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

We herewith send you a resolution entered into by this house, with which your concurrence is requested.

Mr. Cantrell, who had leave to withdraw for amendment the bill for the appropriation of certain monies therein mentioned, and for other purposes ; returned the bill which with its amendments, was received, and ordered to lie on the table until to-morrow.

Mr. Fort, who had leave to withdraw for amendment, the bill directing the mode of electing members of the general assembly returned the bill, which with its amendments was received, and ordered to be read.

Mr. Johnston moved, that the word " defendant," in the last line of the seventh section be struck out, and the word " plaintiff" inserted. This being objected to, the question was put, and it was carried ; to which Mr. Rhea, in behalf of himself and others, entered the following protest,

On this question a dissent is entered, because it obliges the plaintiff to prove a negative."

John Rhea.

Seth Lewis.

John Cocke.

Mr. Rhea then proposed the following amendment.

to be added to the fourth section :

" And if any person shall swear falsely, in this case, or conviction thereof, he shall suffer the pains and penalties of wilful and corrupt perjury," which was received.

The bill was then read the second time, amended, passed and sent to the senate.

Mr. Johnston, who had leave to withdraw for amendment, the bill prescribing the mode of electing military officers, returned the bill, which was received, and ordered to lie on the table until to-morrow.

Adjourned till to-morrow 12 o'clock, A. M.

TUESDAY, April 12, 1796.

MET according to adjournment.

Mr. Newel presented a petition from sundry inhabitants of Sevier county, which was read and referred to the committee of propositions and grievances.

Mr. Johnson from the select committee, reported as follows:

Your committee to whom the communication from the governor, relative to the lands south of the line of the treaty of Holston, claimed by grantees under North Carolina, was referred, do recommend the following resolution:

Resolved, that it be an instruction to the senators and representatives of this state, in the Congress of the United States, to state to that body, that it is essential to the preservation of peace, between the Indian tribes and the United States, that measures be, by them, taken to relieve and quiet the grantees of lands under the state of North Carolina, the possession of which is guaranteed to the Indians by treaty, which claim we wish extinguished, and the claimants put in peaceable possession of their lands.

THOMAS JOHNSON, Ch.

The foregoing report being read, was concurred with.

A bill to amend an act for the promotion of learning the county of Davidson, was read the second time, amended, passed and sent to the senate.

Adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, April 13, 1796.

MET according to adjournment.

Mr. Newel moved for leave and introduced, "A bill to encourage the killing of wolves."

"Which was read the first time, passed and sent to the senate."

Mr. Montgomery presented a bill appointing commissioners and trustees, the former to fix on a place in the county of Sumner, and the latter to purchase it, to erect a court-house, prison and stocks, and establish a town therein.

Which was read the first time, passed, and sent to the senate.

Mr. Gass, who had leave to withdraw for amendment, the bill to preclude persons of a certain description from being admitted as witnesses. &c returned the bill with its amendments, which was received and ordered to lie on the table.

Received from the senate :

A bill to amend an act for the promotion of learning in Davidson County,

Endorsed, "Read the third time, amended and passed."

Ordered, that this bill be read, which being read, was passed the third time, and ordered to be engrossed.

Mr. Johnson presented a remonstrance from David Smith, which was read and referred to the committee of claims.

Received from the senate :

A bill making compensation for the members, clerks and door-keepers of the general assembly, and for defraying other necessary contingencies,

Endorsed, "Read the first time and passed,"

Ordered, that this bill be read, which being read, was passed the first time and returned.

Mr. Rhea moved for leave, and introduced a bill for amendment of the law respecting public roads and ferries,

Which was read the first time, passed and sent to the senate.

Received from the senate,

A bill to amend an act, now in force in this state,

Endorsed, "Read the second time, amended and passed,

Which was on motion of Mr. Fort withdrawn for amendment.

Mr. Johnson moved for leave to introduce a bill establishing a town by the name of Palmyra,

Which was read the first time, passed and sent to senate.

Received from the senate,

A bill for establishing a town in Robertson county,

Endorsed, "Read the first time and passed."

Mr. Lewis moved for leave, and presented a bill for the relief of such persons as have, or may suffer by the loss of the records of the court of equity, for the district of Mero,

Which was read the first time, passed and sent to the senate.

Received from the senate the following reports,

Each endorsed, "concurrent with."

Your committee to whom was referred a petition from the inhabitants of Davidson county, are of opinion, that the same be laid over until the next general assembly.

JOHN TIPTON, Ch.

Your committee to whom was referred the petition Charles Robertson, esq. of the town of Jonesborough, having taken the same under their consideration, report, that the same ought not to be allowed, for reason of but one signer to said petition.

JOHN TIPTON, Ch.

Your committee to whom was referred several peti-

tions from the inhabitants of Jefferson county, upon several subjects, are of opinion, that all petitions from the inhabitants of said county be laid over until the next general assembly, only such as respect the division of said county.

JOHN TIPTON, Ch.

The foregoing reports being read, the two former were concurred with by this house, and the latter rejected: Whereupon,

Ordered, That the following message be sent to the senate :

Mr. Speaker and Gentlemen,

We cannot concur with your message respecting the report of the committee of propositions and grievances, upon the petitions from the citizens of Jefferson county.

A bill for amendment of the law, was read the second time, amended, passed, and sent to the senate.

Received from the senate,

A petition from sundry citizens of Knox county,

Endorsed, " Read and referred to the committee of propositions and grievances," which was read, referred in like manner and returned.

Received from the Senate the following bills:

A bill for the relief of such persons as have, or may suffer by the loss of the records of the court of equity for the district of Mero,

A bill to encourage the killing of wolves,

A bill appointing commissioners and trustees, &c.

A bill establishing a town by the name of Palmyra.

And a bill for amendment of the law respecting public roads and ferries,

Severally endorsed, " Read the first time and passed."

Mr. Fort, who had leave to withdraw for amendment, the bill to ascertain what property in this State shall be taxed for the year 1797, returned the bill, which was, on motion, referred to a special committee, composed of Messrs. Rhea, Lewis, and Outlaw.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house have referred the bill ascertaining what property in this state shall be taxed for the year 1797, to a special committee composed on our part of Messrs. Rhea, Kewis, and Outlaw, to act jointly with such of your body as you may name for that purpose.

Mr. Johnson who had leave to withdraw for amendment, the "bill prescribing the mode of electing the military officers of this state," returned the bill, which, with its amendments, was received, read the second time, passed and sent to the senate.

Adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill for establishing a town in Robertson county, by the name of Springfield,

Was read the second time, amended, passed, and sent to the senate.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate concur with you in referring "the bill ascertaining what property in this state shall be taxed for the year 1797," and name on our part Messrs. Doherty, White, and Rutledge.

A bill concerning oaths, &c. was read, and on motion of Mr. Fort, was laid over until the next general assembly.

Ordered, that the following messages be sent to the senate:

Mr. Speaker and Gentlemen,

We have added Messrs. Weakley, Conway, and Johnson, to the committee to whom is referred the bill ascertaining what property in this state shall be taxed for the year 1797.

Mr. Newel moved for leave to withdraw for amendment, "A bill ascertaining a line between Knox, Jefferson, and Sevier.

Adjourned till to-morrow 10 o'clock, A. M.

THURSDAY, April 14, 1796.

MET according to adjournment.

A bill establishing a town by the name of Palmyra, was read the second time, passed, and sent to the senate.

A bill appointing commissioners and trustees, &c. was read the second time, passed and sent to the senate.

The bill to encourage the killing of wolves, was read the second time, amended, passed, and sent to the senate.

Received from the senate,

The memorial of James Conner, Endorsed, "Read and referred to the committee of propositions and grievances," which was read, referred in like manner and returned.

Mr. Montgomery presented the petition of Joshua Hadley,

Which being read, was referred to the committee of propositions and grievances.

Received from the senate,

The following reports of the committee of propositions and grievances,

Each endorsed, "concurréd with."

Your committee to whom was referred sundry petitions from the inhabitants of Jefferson county are of opinion, that all petitions relative to said county be laid over until the next general Assembly.

JOHN TIPTON, Ch.

Your committee to whom was referred the petitions from the inhabitants of Sevier county, are of opinion, that the petitions relative to said county be laid over until the next general assembly.

JOHN TIPTON, Ch.

The foregoing reports being read, the former was concurred with, and the latter rejected; whereupon.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

The house of representatives cannot concur with the report of the committee of propositions and grievances, upon the petitions from Sevier county.

Mr. Newel moved for leave and introduced, a bill to appoint commissioners to fix on a place to erect a court house, prison and stocks, in Sevier countr, Which was read the first time, passed and sent to the senate.

Mr. Fort moved for leave to withdraw for amendment, a bill respecting public roads and ferries.

Received from the senate,

A bill prescribing the mode of electing the military officers of this state,

Endorsed, "Read the second time, amended and passed."

Ordered, that this bill be read, which being read, was amended, passed the third time and sent to the senate.

Also, a bill establishing a town in Robertson county,

Endorsed, "Read the second time and passed."

Which was read the third time, amended, passed and returned.

Likewise the following bills:

A bill establishing a town by the name of Palmyra,

Endorsed, "Read the second time and passed."

A bill allowing writs of error in certain cases and for other purposes,

Endorsed, "Read the second time, amended and passed."

Adjourned till 4 o'clock, P. M.

MET according to adjournment.

The bill to preclude persons of a certain description from being admitted as witnesses, &c. was then taken up, to which Mr. Gass proposed the following amendment:

A bill "Imposing a fine on persons who publicly deny the being of a God, and a future state of rewards and punishments, who publicly denies the divine authority of the Old and New Testaments."

"Be it enacted by the general assembly of the state of Tennessee, that from and after the passing of this act, if any person in this state shall publicly deny the being of a God, and a future state of rewards and punishments, or shall publicly deny the divine authority

of the Old and New Testaments, on being convicted thereof, by the testimony of two witnesses, shall forfeit and pay the sum of dollars for every such offence, to be applied to the use of the county in which the offence shall have been committed; to be recovered as an action of debt before any jurisdiction having cognizance thereof."

The foregoing amendment being received, the question was taken on the passage of the amended bill which was carried:

Whereupon the yeas and nays were called upon by Mr. Johnson and Mr. Gass, which stood as follows:

For the passage of the bill,

Yeas. Messrs. Blair, Black, Conway, Clack, Crawford, Gass, Houston, Johnson, Looney, Montgomery, Newel, Outlaw, Peck, and Weakley — 14.

Nays.—Messrs. Cantrel, Cocke, Fort, Henderson, Lewis, Menefee, Rhea,—7.

Mr. Lewis entered the following protest:

To this question we enter our dissent, as we conceive the law to be an inferior species of persecution, which is always a violation of the law of nature; and also, that it is a violation of our constitution.

Messrs. Seth Lewis, John Cocke, William Fort, John Rhea, Stephen Cantrel, John Menefee, and Thomas Henderson.

Adjourned till to-morrow 10 o'clock, A. M.

FRIDAY, April 15, 1796.

Met according to adjournment.

Received from the Senate the following bills:

A bill to provide for the safe keeping of the acts and records of the state,

Endorsed, "Read the second time, amended, and passed."

A bill appointing commissioners to fix on a place to erect a court-house, prison and stocks, in Sevier county,

Endorsed, "Read the first time and passed."

Also, a bill for changing the place of holding courts in Jefferson county,

Endorsed, "Read the first time and passed."

Ordered, that this bill be read, which being read, was passed the first time and returned.

Mr. Weakley moved for leave and introduced a bill to regulate the several officers fees therein mentioned,

Which was read the first time, passed and sent to the senate.

Received from the senate,

The bill establishing a town in Sumner county,

Endorsed, "Read the second time, amended, and passed."

The bill was then read for the third time, amended, passed, and returned.

Mr. Lewis presented the petition of Daniel Rowan, which was read and referred to the committee of propositions and grievances.

Mr. Fort, who had leave to withdraw for amendment, the bill concerning public roads and ferries, returned the bill,

Which was read the second time, amended, passed and sent to the senate.

Received from the senate, the following reports from the committee of propositions and grievances, each endorsed, "Concurred with."

Your committee to whom was referred the petition of Daniel Rowan, are of opinion that the same lie over until the next general assembly.

JOHN TIPTON, Ch.

Your committee to whom was referred a petition relative to distempered cattle, are of opinion that the same is reasonable and that a bill be brought forward for that purpose.

JOHN TIPTON, Ch.

Your committee having taken under their consideration the memorial of James Conner, are of opinion that it is reasonable and that a bill for his relief be brought forward.

JOHN TIPTON, Ch.

The foregoing reports being read, were concurred with.

Received from the senate, the bill directing the mode of electing members of the general assembly, endorsed, "read the second time, amended, and passed."

The bill establishing a town by the name of Palmyra, was read the third time, amended, passed, and sent to the senate.

Received from the senate, the bill respecting public roads and ferries, endorsed, "read the second time, amended, and passed."

A bill for the relief of such persons as have or may suffer by the loss of the records of the court of equity for the district of Mero, was read the second time, amended, passed, and sent to the senate.

Adjourned till 4 o'clock, P. M.

Met according to adjournment.

Mr. Lewis moved for leave and introduced a bill to repeal the forty-eight section of an act passed at Edenton in the year 1741, entitled, "An act concerning servants and slaves," which was read the first time, passed, and sent to the senate.

Received from the senate the following reports, endorsed, "Concurred with."

Your committee to whom was referred the petition of Joshua Hadley, consider that the same is reasonable and ought to be granted, and recommend that a bill remitting fines and forfeitures with respect to lands held by non-residents of this state should be passed.

JOHN TIPTON, Ch.

Your committee having taken under consideration the petition from the citizens of Nashville, report generally in favour of the petition.

JOHN TIPTON, Ch.

Your committee to whom was referred the remonstrance of David Smith, are of opinion that the same be laid over until the next general assembly.

JOHN TIPTON, Ch.

The above reports being read, were each concurred with by this house.

Adjourned till to-morrow 10 o'clock, A. M.

SATURDAY, April 16, 1796.

MET according to adjournment.

Mr. Fort moved for leave and presented a bill appointing commissioners to contract for the building a court house, prison, and stocks, in Montgomery county, which was read the first time, passed, and sent to the senate.

Mr. Cantrell introduced a bill to regulate the descent of real estates, which was read the first time, passed, and sent to the senate.

Mr. Black moved for leave and presented a bill to establish the town of Maryville, in the county of Blount, and for other purposes therein mentioned, which was read the first time, passed and sent to the senate.

Mr. Outlaw moved for leave and presented the following bills:

A bill directing the mode of petitioning the general assembly for the division of counties and the removal of court-houses;

A bill to annex part of Jefferson county to the county of Hawkins, and to ascertain the lines of Jefferson county, which were received, and on motion withdrawn for amendment.

Received from the senate, a bill to repeal part of the sixth section of an act, entitled, "An act, ascertaining what property in this Territory shall be deemed taxable property, passed September 30th, 1794."

Also—the bill regulating the several officers fees therein mentioned, each endorsed, "read the first time and passed."

Ordered, that Mr. Peck have leave to absent himself from the service of this house until Monday 4 o'clock, P. M.

Adjourned until 4 o'clock, P. M.

Mr. Houston moved for leave and introduced a bill ascertaining the number of Attornies-General, fixing their salaries, and directing their duty in office, which was read the first time passed and sent to the senate.

Mr. Fort moved for leave and presented a bill, making compensation to Andrew Jackson for his services as Attorney-General, for the district of Mero.

Mr. Lewis moved for leave and presented a bill to amend an act establishing a town on Cumberland river at a place called the Bluff's, near the French Lick, and for other purposes.

Ordered, that these bills be read, which being read were passed the first time, and sent to the senate.

Received from the senate, the following report of the committee of claims, endorsed, "concurred with."

Your committee, to whom was referred the remonstrance of Andrew Jackson, are of opinion, that a reasonable compensation from the time of the organization, of the Territorial government, until the year 1796 is reasonable, and ought to be granted.

JOHN TIPTON Ch.

The foregoing report being read, was concurred with by this house.

Mr. Fort moved for leave and presented, "A bill to prevent the obstruction of the navigation of Red river;" which was read the first time, passed, and sent to the senate.

Mr Cocke who had leave to withdraw for amendment the bill to divide Hawkins county, returned the bill, which was read the second time in this house, amended, passed, and sent to the senate.

Mr. Blair moved for leave and introduced a bill to appoint commissioners for regulating the town of Jonesborough, in the county of Washington, superintending the building or repairing the court-house, prison, and stocks, which was read the first time, passed, and sent to the senate.

The bill to repeal part of the sixth section of the tax law, passed in 1794, was read, passed, the first time, and returned.

Mr. Houston moved for leave and presented a bill making provision for mistakes in surveys of land, which was received.

Mr. Outlaw moved for leave and introduced the following bills:

"A bill to empower the several county courts in this state to lay a tax for the contingent charges of said counties."

"A bill to facilitate the navigation of the several rivers and navigable streams therein mentioned."

"A bill making allowance to David Smith for cash expended in defence of this state."

"A bill for paying the sheriffs and other officers in this state for services performed and monies expended by them for the use of the temporary government for the years 1791, 2, 3, 4, and 5." these bills were severally received, and on motion withdrawn for amendment.

Mr. Rhea moved for leave and presented "A bill giving farther time to register grants, deeds, and mesne conveyances," which was received, and on motion withdrawn for amendment.

Received from the senate "A bill to provide for the payment of the several officers fees therein mentioned."

"A bill for altering the places of holding the superior courts of law and equity for the district of Washington," each endorsed, "read the first time and passed." Ordered that these bills be read, which being read were passed the first time in this house and returned.

Mr. Cantrill moved for leave and introduced "a bill to repeal an act, entitled," an act to alter the mode of punishing horse stealing, also to repeal an act, entitled, "an act to prevent horse stealing," which was received, and on motion withdrawn for amendment.

Received from the senate the following bills:

"A bill to repeal the fourth section of an act passed at Knoxville the 29th day of September 1774, entitled, "an act establishing courts of law and for regulating the proceedings therein, and for other purposes therein mentioned."

A bill to repeal the forty eighth section of an act, passed at Edenton, in the year 1741, entitled, "an act concerning servants and slaves,"—a bill to prevent the obstruction of the navigation of Red River—and a bill establishing the town of Maryville, severally endorsed, read the first time and passed.

Mr. Newell, who had leave to withdraw for amendment, the bill to ascertain a line between Knox, Jefferson, and Sevier counties, returned the bill amended, which was received, and ordered to lie on the table until Monday.

Adjourned till Monday 10 o'clock, A. M.

MONDAY, April 28, 1796.

THE house met according to adjournment.

Received from the senate the following bills:—

A bill making compensation to Andrew Jackson, for his services as attorney general for the district of Mero, and a bill ascertaining the number of attorneys general, &c. each endorsed, read the first time and passed.

Mr. Cantrell, who had leave to withdraw for amendment, the bill to repeal an act directing the mode of punishing horse stealing, returned the bill, which was read the first time and passed.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house propose, that the committee appointed to contract with the printer, do engage him to print five hundred blank commissions for militia officers, and fourteen blank commissions, to be each filled up with the names of justices of the peace, in each county, respectively, which is sent to you for your concurrence.

Received from the senate, the bill to divide Hawkins county, endorsed, read the second time, amended, and passed—which being read, was passed the third time and returned.

Received also the bill to appoint commissioners for

regulating the town of Jonesborough, endorsed, read the first time and passed, which was, on motion of Mr. Rhea, withdrawn for amendment.

The bill to establish the town of Maryville, was read the second time and passed.

Received from the senate the following bills:

A bill to appoint commissioners to contract for building a court house, &c. in the county of Montgomery; and a bill establishing courts of pleas and quarter sessions, in the different counties in this state, each endorsed, read the first time and passed.

Ordered, that these bills be read, which being read were passed the second time.

Received also, a bill to amend an act establishing a town on Cumberland river, at the place called the Bluff, endorsed, "Read the first time and passed"—which was, on motion of Mr. Lewis, withdrawn for amendment. Also, a bill to regulate the descent of real estates, endorsed, read the first time and passed.

A bill for allowing writs of error, &c. and a bill respecting public roads and ferries, were each read the third time, amended and passed.

Received from the Senate the following message:

Mr. Speaker and Gentlemen,

The senate concur with your message as it respects printing the militia commissions, and propose that the number to be printed be increased to one thousand.

The bill to provide for the safe keeping of the records, &c. of the state was then read. Mr. Cantrel proposed an amendment to the following section:

"Sec. 10. Be it enacted, that the sum of four hundred dollars shall be allowed and paid yearly and every year, to the said secretary, in compensation for his services in performing the duties enjoined on him, which sum shall be paid at the treasury in half yearly payments, &c."

The amendment proposed was, to strike out the words, "four hundred," in the second line, for the purpose of inserting "three hundred and fifty," this was negatived; whereupon the yeas and nays were called for, and stood as follows:

For the amendment proposed, Messrs. Clark, Cantrel, Black, Gass, Montgomery, and Weakley, 6.

Against the amendment, Messrs. Conway, Cocke, Crawford, Henderson, Lewis, Looney, Outlaw, Rhea, Johnson, Fort, and Newel, —11.

Received from the senate, the bill to establish the town of Maryville, in the county of Blount,

Entered, "Read the second time, amended, and passed."

Adjourned till 3 o'clock, P. M.

Met according to adjournment.

A bill to repeal the fourth section of an act, passed at Knoxville the 29th day of September, 1794, entitled, "an act to amend an act, establishing courts of law, and for regulating the proceedings therein," was read the first time, passed, and sent to the senate.

Received from the senate, the bill to repeal an act, entitled, "an act to alter the mode of punishing horse-stealing; also to repeal an act, entitled an act to prevent horse-stealing,"

Entered, "Read the first time and passed."

The bill to ascertain a line between Knox, Jefferson, and Sevier counties, was read the second time, amended, passed, and sent to the senate.

Mr. Fort, who had leave to withdraw for amendment, a bill to amend an act now in force in this state, returned the bill, which was received and ordered to be read, which being read was, on motion, rejected.

Adjourned till to-morrow 9 o'clock, A. M.

TUESDAY, April 19, 1796.

Met according to adjournment.

Mr. Rhea from the special committee, to whom was referred the "bill to ascertain what property in this state shall be deemed taxable, and the mode of collecting, accounting for, and paying public taxes," reported the amendments by them made to the bill, which were received and ordered to be read.

Mr. Cocke offered an amendment to the following section:

Be it enacted, that all lands, held by deed, grant, entry, dower or courtesy.

The amendment proposed was to add the following clause to the before recited section: "Within the line of the treaty of Holston, and to which the Indian claim has been extinguished thereby." The question was then put on this amendment, and the yeas and nays were on motion taken thereon, and stood as follows:

For the amendment, Messrs. Cocke, Cantrel, Fort, Johnson, Lewis, Menefee, Peck, Rhea, Henderson, and Weakley—10.

Against the amendment, Messrs. Black, Blair, Clark, Conway, Crawford, Gals, Houston, Montgomery, Newel, and Outlaw—10.

The house being divided, the speaker gave the casting vote against the amendment.

Mr. Outlaw then proposed the following clause to be added to the former clause: "Within the limits and bounds of this state, as described by the constitution."

The question being put on this amendment, the yeas and nays being called for, were as follows:

For the amendment—Messrs. Blair, Black, Clark, Conway, Crawford, Gals, Houston, Montgomery, Newel, Outlaw—10.

Against the amendment—Messrs. Cocke, Cantrel, Fort, Henderson, Johnson, Lewis, Menefee, Peck, Rhea, Weakley—10.

The house being again divided, the speaker gave the casting vote, and the amendment was carried.

Mr. Johnson proposed the following, as an additional section to the bill:

"And be it enacted, That if any person shall move and settle over the line of the treaty of Holston, without the consent of the Indians, for every offence shall forfeit and pay to the use of the state, five hundred dollars, to be recovered before any jurisdiction giving cognizance thereof."

The question being received, the question was put on the amended bill, which was rejected. The yeas and nays were called for, by the speaker, and stood as follows:

For the passage of the bill—Messrs. Blair, Black, Clack, Crawford, Houston, Looney, Montgomery, Newell, Outlaw. 9.

Against the passing the bill—Messrs. Cooke, Cantrel, Fort, Gass, Henderson, Johnson, Lewis, Menefee, Peck, Rhea, Weakley. 11.

Mr. Gass moved for leave to enter on the journal, the following reasons:

Although I have voted for taxing the lands lying south of the line of the treaty of Holston, yet I could not consent to the passage of the bill with Mr. Johnson's amendment, which inflicts a fine of five hundred dollars on persons who may move to and settle on the said lands, which I think they are entitled to.

JOHN GASS.

Received from the Senate, a bill ascertaining a line between Knox, Jefferson, and Sevier counties, endorsed, read the third time, amended, and passed.

Ordered, that this bill be read, which being read, was passed the third time, and ordered to be engrossed.

Received also, a bill to provide for the payment of the several salaries therein mentioned, and a bill for the relief of such persons as have or may suffer by the loss of the records of the court of equity for the district of Mero, each endorsed, "read the second time, amended and passed."

Ordered, that these bills be read, which being read, were passed, the former the first and the latter the second time.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house propose a committee to estimate the expence, of this session of assembly, and have nominated Mess. Henderson, Johnson, Weakley, and Fort, to act with such gentlemen as you shall appoint, and that the estimate shall be made up until Saturday next inclusive, and no longer.

The bill ascertaining the number of attornies general, fixing their salaries, &c. was read the second time, passed, and sent to the senate.

Adjourned till 4 o'clock, p. m.

Met according to adjournment.

Mr. Fort moved for leave to withdraw for amendment, the bill to prevent the obstruction of the navigation of Red river.

Mr. Rhea who had leave to withdraw for amendment, the bill giving further time to register grants, deeds, and mesne conveyances, returned the bill, which was read the first time, passed, and sent to the senate.

The bill to repeal an act to regulate the several officers fees therein mentioned, &c. was read the second time, amended and passed.

Mr. Outlaw, who had leave to withdraw for amendment, a bill directing the mode of petitioning the general assembly for the division of counties, and the removal of court houses, returned the bill, which was read the first time, passed, and sent to the senate.

A bill to repeal the forty-eighth section of an act, passed at Edenton in the year 1741, entitled, "An act concerning servants and slaves," was read the second time, passed, and sent to the senate.

The bill to repeal an act, entitled, "an act to alter the mode of punishing horse stealing," &c. was read the second time and rejected.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate have read for the third and last time, "A bill prescribing the mode of electing the military officers of this state," and have amended it as follows: To the 9th section they have added the following clause: "Which election the senior officer present shall superintend; and if two or more of the candidates are equal and highest in votes, such two or more shall decide by lot who shall be the brigadier general: And the said senior officer shall, under his hand, certify the same to the governor, who shall commission such person accordingly.

The senate have added as the 13th and last section, the following: "Be it enacted, that when vacancies shall happen by death, resignation, or otherwise, in the grade of major general, the governor shall issue his orders for an election, to fill up such vacancy,

giving sixty days notice thereof. If in the grade of brigadier-general, the major-general shall, in like manner issue his orders for an election. If in the grade of lieutenant-colonel commandant or major, the brigadier-general shall, in like manner issue his orders for an election. If in the grades of captain, lieutenant, ensign, or cornet, the commanding officer of such regiment or corps, in which such vacancy may happen, shall, in like manner, issue his orders to fill up such vacancy. And the said elections shall be held at the same places, and under the same rules and restrictions that are herein before directed."

If you should agree to these amendments, you will send two of your members to see them made:

Ordered, that the following message be sent to the senate.

Mr. Speaker and Gentlemen,

This house concur with the amendments by you proposed to the bill prescribing the mode of electing military officers of this state, and name Mr. Johnson and Mr. Weakley to see them inserted.

The bill to establish the town of Maryville, was read the third time and passed.

The bill to regulate the descent of real estates, was read the second time and passed.

Mr. Outlaw, who had leave to withdraw for amendment, a bill to annex part of Jefferson county to the county of Hawkins returned the bill, which was, on motion, laid over until the next general assembly.

Adjourned till to-morrow 10 o'clock, A. M.

WEDNESDAY, April 20, 1796.

MET according to adjournment.

Mr. Rhea, who had leave to withdraw for amendment, the bill to regulate the town of Jonesborough, returned the bill, which was received, read the second time amended, passed, and sent to the senate.

Received from the senate, a bill appointing commissioners to contract for the building a court house, prison, and stocks in Montgomery county, and a bill to repeal an act regulating the several officers fees

therein mentioned, endorsed, read the second time, amended and passed.

Ordered, that these bills be read, which being read were amended and passed the third time.

Mr. Newell, who had leave to withdraw for amendment, the bill appointing commissioners to fix on a place to erect a court-house, prison and stocks, in Sevier county, returned the bill, which was read the second time, and on motion, rejected.

Received from the senate, a bill directing the mode of petitioning the general assembly for the division of counties and removal of court-houses, endorsed, "Read the first time and passed."

Also, the bill giving further time to register grants, deeds, &c. endorsed, "read the first time and passed," which being read for the second time in this house was returned.

The bill directing the mode of electing the governor and members of the general assembly, was read the third time, amended, passed and sent to the senate.

The bill for the appropriation of certain monies, therein mentioned, was read the second time, amended and passed.

Received from the senate the following bills :

A bill ascertaining the number of attorneys general, &c.

Also, a bill for the regulation of the town of Jonesborough,

Each endorsed, "Read the second time, amended, and passed."

The bill to amend an act establishing a town on Cumberland river, at a place called the Bluff, was read the second time, amended, and passed.

Adjourned until 3 o'clock, P. M.

Met according to adjournment.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate have read for the third and last time, the bill to divide Hawkins and Knox counties, and have added the following clause to the last section, to wit: "Provided, nothing herein contained, shall be construed so as to give said county of Grainger separate elections for governor

and members of the general assembly; but the inhabitants of said county shall be entitled to suffrage in the county from which they were taken, until the first enumeration be made. If you agree to this amendment, you will please send two of your members to see it made.

Ordered, that the following message be sent to the senate.

Mr. Speaker and Gentlemen,

We concur with your proposed amendment to the bill for the division of Hawkins and Knox counties, and name Mess. Henderson and Menefee to see the alterations accordingly made.

Received from the senate, the bill to regulate the descent of real estates, endorsed, "read the second time and passed."

Ordered, that this bill be read, which being read, was passed the third time in this house and returned.

Mr. Houston, who had leave to withdraw for amendment, a bill making provision for mistakes in surveys of lands, returned the bill, which was read the first time, passed, and sent to the senate.

Mr. Rhea moved for leave and introduced, a bill for the appointment of electors to elect a president and vice-president, of the United States, which was read the first time and sent to the senate.

Received from the senate the following bill:—
A bill making compensation to Andrew Jackson, for his services as attorney general for the district of Mero, which was read the second time, and on motion, laid over until the next general assembly.

Adjourned until to-morrow 9 o'clock, A. M.

THURSDAY, April 21, 1796.

Met according to adjournment.

The bill ascertaining the number of attorneys general, &c. was read the third time, amended, and passed.

Received from the senate,

The bill to amend an act establishing a town on Cumberland river, at a place called the Bluff, endorsed, "read the second time and passed."

Ordered, that this bill be read, which being read, was passed the third time and returned.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate have appointed Mr. Lewis to examine engrossed bills on the part of this house, in the room of Mr. McMin, who has leave of absence.

The foregoing message was read and concurred with.

Mr. Fort, who had leave to withdraw for amendment, the bill to prevent the obstruction of the navigation of Red river, returned the bill, which, with its amendments was received; read the second time in this house, passed, and sent to the senate.

The bill for the regulation of the town of Jonesborough, was read the third time, amended, passed, and sent to the senate.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate have read, for the third and last time, the bill ascertaining the number of attorneys general, &c. and have amended the same by striking out the word "forty," and inserting in lieu thereof, "thirty;" in the compensation to the said attorneys. If you agree to this amendment, you will please send two of your members to see it made.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house cannot concur with the amendment by you proposed, to the bill ascertaining the number of attorneys general.

Received from the senate, the bill giving further time to register grants, deeds, &c. endorsed; "read the second time, amended, and passed," which was read the third time in this house, amended, passed, and returned.

A bill directing the mode of petitioning the general assembly for the division of counties and removal of court-houses, was read the second time, amended, and passed.

Received also, a bill making compensation to the members, clerks and door-keepers of the general assembly, &c. endorsed, read the second time and passed.

Which was read the second time, amended, passed, and sent to the senate.

Received also, a bill to ascertain what property in this territory shall be deemed taxable, &c. passed September 30, 1794.

Endorsed, read the second time, amended, and passed.

Ordered, that this bill be read, which being read, was passed the second time.

A bill providing for the appointment of electors, to elect a President and Vice President of the United States, was read the second time, amended, passed, and sent to the senate.

The bill making provision for mistakes in surveys of lands, was read the second time and passed.

Received from the senate, a bill for the appropriation of certain monies, &c. endorsed, "Read the third time, amended, and passed."

Ordered, that this bill be read, which being read, was passed the third time, and ordered to be engrossed.

Adjourned till to-morrow 10 o'clock, A. M.

FRIDAY, April 22, 1796.

Met according to adjournment.

Ordered that the following message be sent to the senate :

Mr. Speaker and Gentlemen,

This house have appointed the following persons justices of the peace for the several counties hereafter mentioned :

For the county of Blount.———Andrew Bogle, Joseph Black, William Davidson, Andrew Miller, William Lowry, George Ewing, William Wallace, Samuel Houston, James Greenaway, Mathew Wallace, William Hamilton, John Cochran, John Tremble, Thomas Galahor, and John Wallace.

For the county of Carter.———Nathaniel Taylor, David M'Nabb, Landon Carter, Andrew Greer, Zachariah Campbell, Guthridge Garland, John Vaught, Joseph Sands, and Reuben Thornton.

For the county of Davidson.———James Robertson, James Multherin, Thomas Molloy, John Nichols, Thomas Smith, Joseph Phillips, Samuel Barton,

James Hoggatt, Robert Hays, Elijah Robertson, and John Gordan.

For the county of Grainger.——Thomas Henderson, Elijah Chisum, James Blair, John Ebbis, Phelps Reed, Benjamin M'Carty, James Moore, John Bowen, John Kedwell, John Simms, William Thompson, and Major Lea.

For the county of Greene.——Joseph Hardin, sen. John Wear, Elisha Baker, John Newman, sen. John Morris, Hugh Neilson, William Rankin, Joseph Lusk, Thomas Gillis, Alexander Galbreath, James Penny, Hugh Brown, James Hays, Mathew Cox, James Mahan, Thomas Praetor, David Copelane, James Anderson, Samuel Wilson, and William Wilson.

For the county of Hawkins.——George Maxwell, John Long, Nathaniel Henderson, William Armstrong, Joseph M'Min, Alexander Nelson, Thomas Jackson, John Gordon, David Larkin, James Berry, Mark Mitchell, Thomas Lea, James Latham, William M'Carty, James Armstrong, Benoni Caldwell, Ab-salom Looney, John Mitchell, and David Kukead.

For the county of Jefferson.——George Doherty, James Roddy, Josiah Jackson, Thomas Snoddy, Garret Fitzgerald, Parmenas Taylor, John Blackburn, Andrew Henderson, Abednigo Inman, John M'Nabb, Araham M'Coy, Adam Peck, William Cox, James Wilson, William Lillard, David Stuart, Ebenezer Leath, Joseph M'Culla, Samuel Jack, Adam Meek, George Evans, James Lea, Alexander Outlaw, and John Gore.

For the county of Knox.——James White, Joseph Greer, John M'Cellian, John Adair, George M'Nutt, John Hackett, David Campbell, John Menelee, Nicholas Gibbs, John Sawyers, Samuel Doke, James Cozby, Samuel Flanagan, Jeremiah Jack, and William Doke.

For the county of Montgomery.——George Bell, Robert Duning, Amos Bird, Morgan Brown, Robert Nelson, George Neville, William Prince, Robert Prince, Haydon Wells, Timothy Anderson, and William Mitcheson.

For the county of Robertson.——William Fort, Isaac Phillips, Charles Miles, William Miles, Benja-

min Meneese, John Phillips, Martin Duncan, Bazel Bowen, Hugh Henry, Zabulon Hubbard, and James Crabtree, sen.

For the county of Sullivan.———Samuel Smith, John Anderson, Joseph Wallace, John Scott, David Perry, George Vincent, William Delany, William King, Robert Allison, John Vance, William Nash, Richard Gammon, James Gains, George Rutledge, Samuel M'Corkle, John Spurgin, Walter Johnson, Robert Easley, John Yancey and James King.

For the county of Sumner.———David Wilson, Thomas Donald, James Winchester, James Reese, Edward Douglass, William Cage, Stephen Cantrel, Isaac Walton, Thomas Martin, James Guin, Withral Lattimore, James Douglass, and David Shelby.

For the county of Sevier.———John Clack, William Henderson, jun. Robert Calvert, Joshua Gest, Abraham M'Clery, Andrew Cowen, Joseph Vance, Robert Pollock, Adam Wilson, James Riggan, Alexander Montgomery, Jesse Griffin, James D. Puckett, and Isam Guin.

For the county of Washington.———James Stuart, John Tipton, John Wear, John Adams, John Strain, Henry Nelson, Joseph Young, Joseph Crouch, William Nelson, Robert Blair, John Norward, Jesse Payne, Isaac Depugh, Charles M'Cray Samuel Wood, Jacob Brown, John Alexander, John Hammer, and Joseph Briton.

Received from the senate the following bills :

A bill to prevent the obstruction of the navigation of Red River,

A bill directing the mode of petitioning the general assembly for the division of counties, and the removal of court houses,

And a bill making provision for mistakes in surveys of land, each endorsed, "Read the second time, amended and passed."

Ordered, that these bills be read, which being read, were passed the third time.

Received also, a bill to repeal part of the 6th section of an act, "entitled, an act ascertaining what property in this Territory shall be deemed taxable, &c." endorsed "read the third time, and passed."

Ordered, that this bill be read, which being read, was passed the third time and ordered to be engrossed.

Against which the following dissent was entered:

To this we enter our dissent, because we conceive the substance of it was contained in the "bill to ascertain what property in this state shall be deemed taxable, and the mode of collecting, accounting for, paying public taxes," which was heretofore rejected by the general assembly at this session—and therefore this bill cannot be constitutionally passed.

Seth Lewis,
John Rhea,
John Gass.

Joseph Conway,
Thomas Henderson,

Received from the senate the following report, endorsed, "concurred with."

Your committee appointed to contract with the printer for the public printing, report, they have agreed with him as follows:

For every sheet of the laws containing sixteen pages, eight and one-third cents.

For every sheet of the journals of the assembly containing sixteen pages, sixteen and two-third cents.

For every quire of commissions three dollars.

JAMES WHITE, Ch.

The foregoing report being read, was concurred with.

Received from the Senate the following message:

Mr. Speaker and Gentlemen,

The senate concur with your message respecting the making up the estimate, so far as to appoint a committee, and name Messrs. White and Lewis, for that purpose.

A message from the Governor:

Mr. Speaker and Gentlemen of the General Assembly:

Your session is now near a close, the safety and protection of the frontiers requires your serious consideration. Tranquility, amity, and mutual friendship with the neighbouring tribes, is the principal means of securing the same.

Permit me to remind your honorable body of the deplorable condition our frontier citizens would be

plunged into, should this country unhappily again be involved in a war with a savage nation. The calamities of the last, are recently in our memory, and the spoils and ravages occasioned thereby, are daily presented before us.

The rapid emigration into our state is truly flattering; but a single hostility might be the means of occasioning the prospect wholly to vanish and cease. Many thousands have moved to our government, not many are wealthy, their resources small, and their wants great; and were they reduced to the melancholy dilemma, of entering into forts and block-houses, I am assured their condition would be distressing and painful in the extreme.

Let me remark to you, gentlemen, and I make no doubt you will coincide with me in opinion, that a few years peace would be the most legal and eligible mode to reduce our neighbouring tribe to reason and good order.

The present appearances of Indian affairs have a pacific colour, and should proper methods be adopted by your legislative and interposition, so as to prevent violation and encroachment, I have no doubt but peace will abound throughout the government.

One thing more, I beg leave to observe, it is well known to you, that the brave officers and privates, that composed the army, who performed the last campaign, are still unpaid, from which circumstances many of our citizens are much embarrassed and disappointed on the occasion.

I have lately been advised to go forward to the war office personally, to state the expediency and authority that caused and produced the campaign.— Now, if the present session of Congress should fail to make provision for the payment, I wish to know the sense of the assembly, whether I might be permitted, or not, to go forward at the time of the next session, to lay the same before Congress. It will be a journey attended with much fatigue and expence; but nevertheless, I feel it my indispensable duty to give every aid and assistance in my power, to have the

officers and privates duly compensated for their hazardous and toilsome services.

I have the honor to be, gentlemen,

With due respect,

Your obedient servant,

JOHN SEVIER.

On motion, ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We herewith send you a message received this day from the governor, which has been referred on the part of this house to a special committee, composed of Mr. Lewis, Mr. Rhoads and Mr. Menefee.

Received from the senate, a bill providing for the appointment of electors to elect a President and Vice President of the United States, endorsed, "Read the second time, amended, and passed."

Ordered, that this bill be read, which being read, was amended, and passed the third time.

A message from the senate:

Mr. Speaker and Gentlemen,

The senate concur with you in referring the communication of the governor, to a special committee, and have named Messrs. Tipton, and Boherty for that purpose.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate concur with you, in the appointment of the justices of the peace in this state, except the following:

In the county of Greene, Samuel Dunwoody is appointed in the room of Joseph Lusk, and the name of James Mahan left out of the appointment.

In the county of Sevier, James M. Mahan is appointed in the room of James D. Puckett.

A message from the Senate:

Mr. Speaker and Gentlemen,

This house do not concur with the alterations by you made in the nomination of justices, except as to the name of James Mahan.

Adjourned till 4 o'clock, P. M.

Received from the senate the following messages :

Mr. Speaker and Gentlemen,

The senate propose meeting you this afternoon in your chamber, for the purpose of electing four electors of President and Vice President of the United States, and three attorneys general.

Mr. Speaker and Gentlemen,

The senate propose the following gentlemen as electors of President and Vice President of the United States, viz. Messrs. Claiborne, Joseph Anderson, Joseph Greer, Griffith Rutherford, Charles McClung, Hugh Neilson, and John Anderson.

For attorney general in the district of Washington, Messrs. Hopkins Lacy, John Shields, and John Sevier.

For the district of Hamilton, Messrs. Thomas Grey, John Lowrey, and James Reese.

For the district of Mero, Messrs. Howel Tatom and Isham Parker.

Ordered, that the following message be sent to the senate.

Mr. Speaker and Gentlemen,

We concur with your messages respectively, concerning the balloting for electors to elect a President and Vice-President of the United States, and for attorneys general. We have added Daniel Smith to the nomination for electors, and have appointed Mr. Fort and Mr. Menefee to superintend the balloting.

The bill to prevent the wilful and malicious killing of any black person, or person of mixed blood, he or she being a slave, was read the third time and rejected.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate propose Messrs. Lewis and Frazier to superintend the balloting for electors of President and Vice-President of the United States, and attorneys general.

Received from the senate, a bill to provide for the payment of the governor's salary, &c.

Endorsed, " Read the third time, amended, and passed.

Ordered, that this bill be read, which being read was passed the third time and ordered to be engrossed.

Both houses of the general assembly being convened in the representatives chamber, proceeded to ballot for four electors to elect a president and vice-president of the United States, when the following gentlemen were chosen:

Daniel Smith, Joseph Greer, Hugh Neilson, and Joseph Anderson, Esquires, were duly and constitutionally elected for that purpose.

And in like manner, the following gentlemen were appointed attorneys general for this state:

For Washington district—Hopkins Lacy.

For Hamilton district—John Lowrey.

For Merck district—Howell Tatom.

Adjourned till to-morrow 9 o'clock, A. M.

SATURDAY, April 23, 1796.

Met according to adjournment.

Mr. Rhea from the committee reported as follows:

Your committee to whom was referred the communication from the governor, are of opinion, that an address of the following import be sent to him,

SER,

The general assembly are, with you, fully sensible, that every attention ought to be paid to the preservation of peace between the frontiers and the neighbouring Indians, and that mutual amity and intercourse should be preserved. It is the hope of this general assembly that no hostilities will by any of the citizens of this state be committed against the Indians. And should the Indians again offer violence, and commence war against the people of this state, the general assembly declare their confidence in the general government, that the people will be protected.

This general assembly are of opinion, that altho' the payment of the officers and soldiers alluded to, is of importance; yet the absence of the governor from the state might be attended with consequences not pleasing, and think that it will be the duty of the senators and representatives from this state in Congress, to whom the governor will write on that sub-

fect, to procure an adjustment and payment of what money may be due on account of that expedition.

With you we join in saying, that peace is a most desirable object for the people of this state; their safety and population on it do depend. With you it is to take care, that the citizens of this state commit no encroachments upon the Indians; that the conditions of the treaty of Holston be preserved inviolate on the part of this state: And should the Indians be so far lost to a sense of their own good and happiness, as to commence hostilities, we have the greatest confidence that you will do those things agreeably to the laws of the Union necessary for the general welfare.

JOHN RHEA, Ch.

The foregoing report being read, was concurred with.

Mr. Outlaw from the committee of finance, reported the following statement of the public funds:

	Dols.	Cts.
The amount of monies received by the treasurer of Washington and Hamilton districts	6380	63
By the amount of monies paid out by the above named treasurer	5838	1
Balance in the treasury, on which the treasurer's commission of five per cent is paid	542	60
The amount of monies received by the treasurer of Mero district	4900	37 5-16
By the amount of monies paid out by the above named treasurer	2166	3 3-4
By the amount of said treasurer's commission, at five per cent. on the said monies paid out	108	30
For stationary allowed said treasurer	23	

	Dols.	2297	33 3-4
		2603	5 9-16

The above accounts settled by Howell Tatom, treasurer of Mero district up to March 18, 1796; as per vouchers, filed in the secretary's office of this State.

Also, by Landon Carter, treasurer of Washington and Hamilton districts, up to April 13, 1796.

ALEX. OUTLAW, Clk.

The foregoing report being read, was concurred with.

Received from the senate, the bill making compensation to the members, clerks, and door-keepers of the general assembly, &c. endorsed, read the third time amended, and passed.

Upon the third and last reading of this bill, Mr. Cantrell moved, that the first section, wherein the compensation to the members is fixed at "One dollar and seventy-five cents," be amended, by striking out the words "seventy-five," and inserting in lieu thereof "fifty;" this being objected to, the question was put thereon, and carried in the negative—Whereupon the yeas and nays were called for by Mr. Cantrell, seconded by Mr. Weakley, and stood as follows:

For striking out, Messrs. Houston, Cantrell, Crawford, Lewis, Montgomery, Rhea, and Weakley.

For retaining the clause, Messrs. Clack, Conway, Cocks, Black, Blair, Gals, Henderson, Menefee, Newell, Johnson, Fort, Looney, Outlaw, and Peck.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

This house upon reading for the third and last time, the "bill making compensation to the members, clerks, and door-keepers of the general assembly, &c." have struck out of the second section of the bill, and inserted the following, "Sec. 2. And be it enacted, that the first clerks of the general assembly shall be allowed the sum of two dollars and fifty cents per day for their services. That one-dollar and seventy-five cents be allowed, per day, to each assistant clerk; and that the farther allowances be made for contingent expences, namely, to Thomas H. Williams twenty-two dollars—to John Sevier, jun. twelve dollars and fifty cents—to George Roulstone, twenty-two dollars—to Nathaniel Buckingham twelve dollars and fifty cents."

This house have also added the following as an additional section: "Be it enacted, that Hopkins Lacey, be allowed forty dollars for his services as states attorney, for the first superior court held in the

State of Tennessee, on the second Tuesday in April 1796, he being appointed by the court for that purpose, *pro tempore*.

If you agree to these amendments, you will send two of your members to see them made.

Received from the senate the following message :

The senate concur with your amendments to the bill making compensation to the members, clerks, and doorkeepers of the general assembly, and name Mess. Lewis and Rutledge to see them made.

The bill thus amended, was then read the third time, passed, and ordered to be engrossed.

A message from the senate :

Mr. Speaker and Gentlemen,

The senate herewith send you a resolution which they have entered into, with which they request your concurrence.

Resolved, that George Roulstone, public printer, shall, within two months after the receipt of the copies of the acts and journals at his office, print five hundred copies of the acts, and one one hundred copies of the journals of this general assembly, to be distributed as follows; One copy of the acts and journals to his Excellency the Governor; one copy to the secretary of state; one copy to each of the members of this state in Congress; one copy to each of the members of the general assembly; one copy to each of the clerks of both houses, one copy to each of the judges of the superior courts; one copy to the attorney general of each district; one copy to each of the clerks of the superior courts of law, and court of equity, and county courts; one copy to the major general; one copy to the brigadier general of each district.

Also, one copy of the acts to the following persons, to wit: One copy to each justice of the peace in this state; one copy to each field officer of the militia; and one copy to each commanding officer of each company. And the overplus, if any, the said printer is directed to lodge in the office of the secretary of state, for the use of the state.

And the printer is hereby directed to transmit the acts and journals for each county for the civil department, to the clerk of each county, who is directed

to receipt for the same, and deliver them agreeably to this resolve; and those for the militia, to the commanding officer of each county, who is also directed to receipt for the same, and deliver them agreeably to this resolve.

The foregoing message, with the resolution accompanying it, were read, and concurred with.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

The house agree to strike out the names of those justices of the peace, concerning whom a dissent has arisen, to wit: M. Mahan, Puckett, Lusk, and Dunwoody.

A message from the Senate:

Mr. Speaker and Gentlemen,

The senate propose to add the name of Benjamin M'Nutt to the nomination of magistrates in the county of Greene. They concur in leaving out of the appointment the names of Mahan, Puckett, Lusk, and Dunwoody.

Sent to the senate the following messages:

Mr. Speaker and Gentlemen,

This house cannot concur with you in appointing Benjamin M'Nutt a justice of the peace.

We herewith send you a report of the special committee, appointed to report on the communication of the governor, respecting the practicability of opening a waggon road, by way of the warm springs, through the mountains. It is the sense of this house, that the governor of this state be instructed to inform the governor of South Carolina, that this government will proceed to make the necessary arrangements for the completion of this object, as soon as the public funds will admit.

A message from the senate:

Mr. Speaker and Gentlemen,

The business of the session being ended, the senate propose adjourning *fine die*.

Ordered, that the following message be sent to the senate:

Mr. Speaker and Gentlemen,

We concur with your message proposing an adjournment.

ESTIMATE of the pay of the members, clerks, and door keepers of the general assembly, begun and held at Knoxville, on the 28th day of March, 1796.

<i>Names.</i>	<i>No. of days.</i>	<i>Pay per day.</i>	<i>No. of miles.</i>	<i>Pay per 25 miles.</i>	<i>Amount.</i>
Alexander Kelly,	25	1 75	25	1 75	45 50
James Houston,	25	1 75	45	1 75	46 96
Joseph Black,	27	1 75	30	1 75	49 39
Joel Lewis,	27	1 75	400	1 75	75 25
Robert Weckley,	27	1 75	400	1 75	75 25
Seth Lewis,	27	1 75	400	1 75	75 25
Samuel Frazier,	27	1 75	160	1 75	58 45
Joseph Conway,	27	1 75	116	1 75	55 37
John Gass,	27	1 75	150	1 75	57 15
Joseph M. Min,	16	1 75	160	1 75	39 20
Thomas Henderson,	27	1 75	100	1 75	54 25
John Coker,	27	1 75	70	1 75	52 15
George Doherty,	27	1 75	60	1 75	51 45
Alexander Outlaw,	27	1 75	100	1 75	54 25
Adam Peck,	27	1 75	56	1 75	51 17
James White,	27	1 75		1 75	47 25
John Menefee,	27	1 75		1 75	47 25
John Crawford,	27	1 75		1 75	47 25
George Rutledge,	27	1 75	240	1 75	64 5
John Rhea,	27	1 75	240	1 75	64 5
David Looney,	27	1 75	240	1 75	64 5
James Winchester,	27	1 75	330	1 75	70 35
Stephen Cantrel,	27	1 75	370	1 75	73 15
William Montgomery,	27	1 75	360	1 75	72 45
John Clack,	27	1 75	60	1 75	51 45
Spencer Clack,	27	1 75	60	1 75	51 45
Samuel Newel,	27	1 75	24	1 75	48 93
James Ford,	27	1 75	440	1 75	78 5
Thomas Johnson,	27	1 75	400	1 75	75 25
William Fort,	27	1 75	400	1 75	75 5
John Tipton,	27	1 75	118	1 75	62 51
James Stuart,	27	1 75	200	1 75	61 25
John Blair,	27	1 75	186	1 75	60 27

Francis A. Ramsey clerk to the Senate,	7 2 50	17 50
George Roulstone do.	20 2 50	50
Nathaniel Buckingham as- sistant clerk to do.	27 1 75	47 25
Allowance to George Roul- stone for contingencies.		22
Allowance to Nathaniel Buckingham for contin- gencies.		12 50
Thomas H. Williams, clerk house of representatives.	27 2 50	67 50
Contingencies.		22
John Sevier, jun. assistant clerk.	27 1 75	47 25
Contingencies.		12 50
Thomas Bonds, door- keeper to the Senate,	27 1 75	47 25
J. Chen, door-keeper to the house of representatives,	27 1 75	47 25

Resolved, that the thanks of this house be present-
ed to James Stuart, Esquire, for his faithful and un-
wearied attention in the execution of the duties of
Speaker thereof.

The house then adjourned *sine die*.

JAMES STUART, S. H. R.

By order of the House,

THOMAS H. WILLIAMS, C. H. R.